DOCUMENT RESUME

ED 156 256 JC 780 351

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TITLE State Legislation Affecting Community and Junior Colleges, 1977. Report No. 31.
INSTITUTION National Council of State Directors of Community-Junior Colleges.; Pennsylvania State Univ., University Park. Center for the Study of Higher Education.
PUB DATE Mar 78
NOTE 107p.; Tables may reproduce poorly due to smallness of type

EDRS PRICE MF-$0.83 HC-$6.01 Plus Postage.
DESCRIPTORS College Administration; Community Colleges; Educational Finance; Educational Legislation; Federal Aid; *Federal Legislation; *Federal Regulation; Governance; Indexes (Locaters); *Junior Colleges; National Surveys; Personnel Policy; Post Secondary Education; *State Legislation; *Trend Analysis

ABSTRACT

This document analyzes legislation enacted and proposed in 1977 relative to community and junior colleges nationwide. A survey of community and junior college state directors and actual legislative documents supplied data about state legislation and the impact of federal legislation. Following an introduction, the second section of the report reviews seven important areas that attracted state legislative attention and action: finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. The third section summarizes the effects of federal legislation and regulations on two-year colleges relative to federal aid, vocational education, the Comprehensive Education and Training Act, student aid, privacy of information, veterans, handicapped access, desegregation, and the State Postsecondary Education Planning Commissions. A summary and conclusions follow. During 1977, state legislatures were far more active in regards to postsecondary education than in the two preceding reporting periods, 1973-75 and 1976; 41 states reported 578 pieces of legislation proposed or enacted, compared with 394 in 1973-75 and 287 in 1976. Administrative and financial problems received the most attention. The number of personnel bills substantially increased. Appendices include an annotated list of proposed and enacted legislation for each state and a subject index to legislation. (TR)

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# State Legislation Affecting Community and Junior Colleges, 1977

S. V. Martorana and W. D. Smutz

Prepared in cooperation with the National Council of State
Directors of Community and Junior Colleges

Center for the Study of Higher Education
Report No. 31

The Pennsylvania State University
University Park, Pennsylvania

March 1978

JC 780 351

# FOREWORD

This report is the third in a series generated through the cooperative efforts of the Center for the Study of Higher Education and the National Council of State Directors of Community and Junior Colleges. It focuses on the general public policy framework within which postsecondary educational institutions in general and community colleges in particular must function. Through a descriptive and analytical review of the relevant legislative activity occurring throughout the several states, it is hoped that those interested in postsecondary educational affairs will gain a better grasp of the issues public policy makers believe to be most crucial. Certainly it is clear that postsecondary educational institutions must be aware of, understand, and take into consideration the activities of state officials and bodies. This document is intended to facilitate that awareness, understanding, and consideration.

The report presents information on state legislative actions affecting community and junior colleges. Not only does it include the factual information reported by the states, but it also contains an interpretative evaluation and synthesis of the major developments occurring in state legislatures. Additionally, it reports the findings of a related survey designed to determine the impact of federal legislation and regulations on community and junior colleges. Organizationally, the report is structured so that those wishing to gain a broad understanding of legislative matters can do so through a reading of the text while those interested in specific legislative actions can consult the annotations of the relevant bills and laws. In this regard, any inquiries concerning specific legislative items should be addressed to the appropriate state director. Any comments or observations about the work in general, however, should be forwarded to the senior author, Dr. S. V. Martorana, Research Associate in the Center.

*Kenneth P. Mortimer*
Professor & Director
The Pennsylvania State University
Center for the Study of Higher Education

# PREFACE

The coauthors of this study wish to thank the numerous persons and agencies who helped in its production. This wide base of support and assistance must be noted and our appreciation recorded. First, among those to be recognized are the members of the National Council of State Directors of Community and Junior Colleges. Through their efforts and those of their staffs, we were provided with the legislative information that serves as a foundation for this report. We are deeply indebted to them for their cooperation.

Action by the National Council of State Directors for Community and Junior Colleges in 1974 led to the revitalization of this periodic review and analysis of state legislative activity affecting postsecondary education. The Council's interest and financial support of this continuing project has resulted in the completion of two previous annual studies of state legislation and now a third one. Without the Council's interest and support, this report, as well as the previous ones, could not have been completed. Both authors hope that this study justifies the Council's past support and encourages it to cooperate in similar, future reports.

The authors appreciate also the continued support provided by the Center for the Study of Higher Education, The Pennsylvania State University. Especially noteworthy are the conscientious and diligent efforts of four of the Center's secretaries: Marilyn Downing, Pat Duich, Charlotte Farwell, and Ruth Kilhofer. Their assistance was essential in the production of this report.

S. V. Martorana
Wayne D. Smutz
May 1978

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# I

# INTRODUCTION

This is the third annual survey and analysis of state legislation affecting community and junior colleges. Earlier reports in the series are identified in the list of references for this report. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University, again cooperatively supported and participated in the project. From 1957 to 1965, the U.S. Office of Education published studies of state legislation affecting postsecondary education in general. When this review was discontinued in 1965, a ten-year hiatus followed in which no comprehensive review of legislation was done. Then, in 1975, the National Council decided to support the reinstitution of an annual review of legislation with a particular focus on community and junior colleges. The Center for the Study of Higher Education at Penn State agreed to participate in this endeavor. Consequently, studies of state legislative activity relative to community and junior colleges were completed and published for the periods 1973-75 and 1976.

The 1977 study began on May 16, 1977, with a mailing of letters of inquiry to community and junior college state directors in all fifty states and Puerto Rico. The letters requested state directors to supply copies of bills or analyses of legislation acted upon in 1977. At the same time, the letter requested state directors to provide their impressions of the federal government's impact on state legislative developments and institutional operations. Follow-up letters to both of these requests were mailed on July 22 and August 12. Copies of all three letters are attached as Appendices C, D, and E. During late August and early September, a telephone survey of those states not previously responding to the requests was conducted to ensure as complete a report from the field as possible. Finally, in early February, each state director was asked to review a draft of the report to ensure that the information related to his state was accurate.

This report summarizes the state legislative activity occurring throughout the country as reported for 1977. The information provided in Table 1 indicates the scope of legislative activity covered. Of the fifty-one directors contacted, forty-one responded by sending information related to state legislation. In addition, thirty-one provided information on the impact of federal legislation and regulations on state legislation and institutional operations.

## Procedure, Methodology, and Limitations

Before proceeding to an in-depth review of the 1977 legislation, the methods used in this study and report are briefly outlined. Each year a considerable quantity and variety of legislation is received from the reporting states. To understand better the material, each piece of legislation is classified according to

## TABLE 1

## STATES RESPONDING TO 1977 STATE LEGISLATION STUDY INQUIRIES

| Identification Number | State | 1977 State Legislation | Federal Legislation Impact |
|---|---|---|---|
| 1 | Alabama | X | |
| 2 | Alaska | X | X |
| 3 | Arizona | X | X |
| 4 | Arkansas | X | X |
| 5 | California | X | X |
| 6 | Colorado | | |
| 7 | Connecticut | X | X |
| 8 | Delaware | X | X |
| 9 | Florida | X | X |
| 10 | Georgia | X | |
| 11 | Hawaii | X | |
| 12 | Idaho | X | X |
| 13 | Illinois | X | X |
| 14 | Indiana | X | X |
| 15 | Iowa | X | X |
| 16 | Kansas | | |
| 17 | Kentucky | X | X |
| 18 | Louisiana | X | |
| 19 | Maine | | |
| 20 | Maryland | X | X |
| 21 | Massachusetts | X | X |
| 22 | Michigan | X | |
| 23 | Minnesota | X | X |
| 24 | Mississippi | X | |
| 25 | Missouri | X | X |
| 26 | Montana | | |
| 27 | Nebraska | X | X |
| 28 | Nevada | X | |
| 29 | New Hampshire | | |
| 30 | New Jersey | X | X |
| 31 | New Mexico | X | X |
| 32 | New York | X | X |
| 33 | North Carolina | X | X |
| 34 | North Dakota | | |
| 35 | Ohio | X | |
| 36 | Oklahoma | X | X |
| 37 | Oregon | X | |
| 38 | Pennsylvania | X | X |
| 39 | Rhode Island | X | X |
| 40 | South Carolina | X | X |
| 41 | South Dakota | | |
| 42 | Tennessee | X | X |
| 43 | Texas | | |
| 44 | Utah | X | X |
| 45 | Vermont | X | X |
| 46 | Virginia | X | X |
| 47 | Washington | X | X |
| 48 | West Virginia | X | |
| 49 | Wisconsin | X | X |
| 50 | Wyoming | | |
| 51 | Puerto Rico | | |
| | Totals | 41 | 31 |

an established categorical scheme. That is, each proposal is studied to determine which of seven major areas and twenty-five subject categories it affects. The ennumerations in Tables 2 and 3 show graphically the results of this process. Essentially, this is the same procedure used for each of the last two studies, although the continuous process of refining the classification design is illustrated by the fact that two subject categories, "construction procedures" and "facility regulations," were added this year and the "land acquisition and transfer" category was dropped.

It is important to note that the area and subject categories are intended to be mutually exclusive. Those familiar with legislative bills, however, are well aware that any one may address several different topics. The main body of Tables 2 and 3 therefore identifies the number of topics covered by the reported bills. However, both tables have two total columns to note the difference between the topics covered and the number of bills reported. The topic total, of course, will be equal to or larger than the bill total.

All bills except those related to appropriations and capital funds also are identified according to the type of postsecondary institution affected: community and junior colleges only; all postsecondary institutions, including community and junior colleges; and postsecondary institutions, excluding community and junior colleges. Bills affecting all three categories are reviewed for several reasons. Those bills that affect only community and junior colleges are analyzed because they are the primary focus of this study. In many states, however, community and junior colleges are within systems that include a variety of postsecondary institutions. Thus, in those states bills directed at postsecondary education in general also affect community and junior colleges. Finally, bills concerned with institutions other than community and junior colleges are reviewed because they provide an indication of legislative issues that may affect community and junior colleges in the future.

Enacted legislation is not the only form of state legislative activity summarized in this report. Also included is some legislation that was introduced but not enacted, because enacted legislation alone does not necessarily indicate the full range of issues addressed by state legislatures. Some matters are debated for several years before they become law. To neglect such issues would misrepresent state legislatures' concerns.

As in 1976, however, this report does not cover all the legislation that was introduced but not passed. The criterion used to determine inclusion in this review is that the original legislative committee assigned the bill must have passed it. Thus, bills rejected by a full chamber or a committee of the nonoriginating house, as well as bills vetoed by a governor, are reported. Those bills that died in committee or failed when put to a committee vote are not reported. This ensures that those proposed bills receiving at least a minimum level of serious attention are properly noted. Table 2 includes only those bills enacted while Table 3 is a compilation of proposed legislation.

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1977

| STATES | FINANCE | | | ADMINISTRATION | | | | | | | | | | PHYSICAL FACILITIES | | | INSTITUTIONAL GROWTH | | | | PERSONNEL | | | | STUDENTS | | | ACADEMIC PROGRAMS | | TOTALS | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Appropriations for Operations | Capital Funds | Financial Procedures | Governing Bodies | | Process of Policy Formation | | Administrative Operations | | Coordination | | Studies and Surveys | Enabling Legislation | Building Codes | Construction Procedures | Facility Regulations | New Institutions | Institutional Expansion | Name Changes | Restriction of Growth | Employee Benefits | Employee Rights | Collective Bargaining | Faculty Workload | Rights and Responsibilities | Tuition and Fees | Student Aid | Curriculum | Accreditation & Certification | Number of Topics Covered | Number of Pieces of Legislation |
| | INSTITUTIONAL CLASSIFICATION[a] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | State | Local | State | Local | State | Local | State | Local | | | | | | | | | | | | | | | | | | | | |
| | | | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | | |
| Alabama | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| Alaska | | | 1 | 1 | | | 1 | | 1 | | | | | | | | | | | | | | | | 1 | | | | 1 | 6 | 3 |
| Arizona | 1 | 1 | 1 1 | 1 | | | | | 1 | | | | 1 | | | 1 | | | | | | | | | | 1 | | | | 9 | 9 |
| Arkansas | | | 6 | | 1 | 1 | 1 | 1 | 1 | 2 | | 2 | 1 | | 1 | | | | | | | 1 | | | | | | 1 | | 19 | 8 |
| California | 3 | 2 | 6 | | | 1 | | | 6 1 | 1 | 1 | | 1 | 1 1 | 5 1 | | | | | 1 | 1 | 5 3 | 1 | | 1 | 1 1 | 1 | 7 1 | 1 | 54 | 48 |
| Connecticut | 1 | | | 1 | | 1 | | | | 2 | | | | | | | 1 | | | | | | | | 1 | | 1 | | | 8 | 4 |
| Delaware | 1 | | 1 | | | 1 | | | | 1 | | | | | | | | | | | | | | | | | | | | 4 | 2 |
| Florida | 1 | 1 | 5 | | 1 | | 2 | 2 | 2 4 | 1 | 1 | 1 | | 2 | 4 | 1 | | | | | 7 | 1 | 1 | | 1 | 1 | 1 | 1 1 | 1 | 43 | 32 |
| Georgia | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Hawaii | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| Idaho | 1 | | 1 | | | | | | | | | | | | | | | | | | 1 | | | | | 1 | | | | 4 | 4 |
| Illinois | 3 | 5 | 5 3 1 | | 2 2 | | 2 | 1 | 1 | | | 1 1 | 1 | | 1 | 1 | | | | | 1 8 | 1 | | | | | 1 | 2 | | 43 | 35 |
| Iowa | 1 | 1 | | | | | | | | | | | | | | | | | | | 1 1 | | 1 | | | | | | | 5 | 4 |
| Louisiana | 1 | 2 | 1 | 1 | | | | | | 1 | | | | | | | | | | | 1 | | | | | | 1 | | | 8 | 6 |
| Maryland | 2 | 1 | 1 2 | | 1 | | | 1 | 1 | | | | | | | | | | | | 1 | | 1 | | | 1 | 1 1 | | | 14 | 11 |
| Massachusetts | | | | | 1 | | | | | 1 | | 1 | | | | | | | | | | | | | 1 | 2 | | | | 6 | 4 |
| Michigan | 1 | | 1 | | | | 1 | | | | | | | | | | | | | | 1 | | | | | 1 | | 1 | | 6 | 1 |
| Minnesota | 1 | | | | | | | | | | 1 | | 1 | | | | | | | | 1 | | | | | | 2 | 2 1 | | 9 | 6 |
| Mississippi | 5 | 1 | 1 2 | | | | | | 1 | | | | | | | | | | | | 1 1 | | | | | | | 1 2 | | 15 | 11 |
| Missouri | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Nebraska | 1 | | 2 1 | | 1 | 1 | | 1 | | 1 | | 1 | | | | | | | | | | | | | 1 | | | | | 10 | 5 |
| New Jersey | 1 | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | 2 | 1 |
| New Mexico | 1 | 2 | | | | | | | | | 1 | | | | | | | 1 | | | | | | | | 1 | 2 | 1 | 1 | 10 | 6 |
| New York | 1 | | 1 1 | | 1 | | | | 2 | | | 1 | | | 1 | | | | | | | | 1 | | 2 | 1 | 2 | | | 14 | 11 |
| North Carolina | 7 | 2 | 4 4 | | 2 | 1 | | 2 | | | | 5 2 | 1 | | 4 | 1 | | 1 | | | 7 | 3 | | 1 | 1 | 1 2 | 1 | 1 | | 53 | 40 |
| Ohio | 2 | 1 | 1 | | | | | 1 | | 1 | | | | | | | | | 1 | | 1 | 1 | | | | 1 | 2 | | | 12 | 10 |
| Oklahoma | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | 2 | 2 |
| Oregon | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| Pennsylvania | 1 | | 3 | | | | | | | | | | | | | | | | | | | | | | 1 | | | | | 5 | 2 |
| Rhode Island | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| South Carolina | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| Tennessee | 1 | 1 | 1 1 | | | | | | | | | | | | | | | | | | 1 | 1 | | | | 2 | 1 1 | 1 | | 11 | 6 |
| Utah | 1 | | | | | 1 | | | | | | 1 | | | | | | | | | 1 | | | | | 1 | 1 | | | 6 | 5 |
| Vermont | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| Virginia | 1 | 1 | 1 | | | 2 | | | 1 | 1 | | 2 | | | | | | | | | 1 | | | 1 | | 3 | 7 | 1 | | 22 | 17 |
| Washington | 1 | 1 | 1 1 | | | | | 1 | | | | | 1 | | | | | | | | 1 3 | | | | | 1 1 | | 1 | | 13 | 12 |
| West Virginia | | 1 | | 1 | | | | 1 | | | | | | | | | | | | | | 2 | | | 1 | | 1 | 1 | | 8 | 6 |
| Wisconsin | | | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| TOTALS Legislation | 47 | 24 | 27 35 1 | 0 5 0 | 9 3 0 | 5 4 0 | 3 4 0 | 1 10 0 | 9 13 0 | 1 11 0 | 1 3 0 | 8 10 0 | 5 2 0 | 1 3 0 | 7 10 0 | 0 4 0 | 1 0 0 | 2 0 0 | 1 0 0 | 1 0 0 | 7 34 0 | 5 13 0 | 1 4 0 | 1 1 0 | 2 9 0 | 7 16 0 | 3 23 0 | 13 11 2 | 2 2 0 | 428 | 318 |
| TOTALS States | 31 | 16 | 22 | 15 | | 12 | | 15 | | 12 | | 9 | 7 | 2 | 6 | 4 | 1 | 2 | 1 | 1 | 16 | 8 | 5 | 2 | 10 | 15 | 15 | 13 | 4 | | |

[a] Institutional Classification Code: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Educ. Other than Community and Junior Colleges

## TABLE 3
## NUMBER OF LEGISLATIVE ITEMS PROPOSED BUT NOT ENACTED IN 1977

| STATES | FINANCE | | | ADMINISTRATION | | | | | | | | | | PHYSICAL FACILITIES | | | INSTITUTIONAL GROWTH | | | | PERSONNEL | | | | STUDENTS | | | ACADEMIC PROGRAMS | | TOTALS | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Appropriations for Operations | Capital Funds | Financial Procedures | Governing Bodies | | Process of Policy Formation | | Administrative Operations | | Coordination | | Studies and Surveys | Enabling Legislation | Building Codes | Construction Procedures | Facility Regulations | New Institutions | Institutional Expansion | Name Changes | Restriction of Growth | Employee Benefits | Employee Rights | Collective Bargaining | Faculty Workload | Rights and Responsibilities | Tuition and Fees | Student Aid | Curriculum | Accreditation & Certification | Number of Topics Covered | Number of Pieces of Legislation |
| | INSTITUTIONAL CLASSIFICATION* | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | State | Local | State | Local | State | Local | State | Local | | | | | | | | | | | | | | | | | | | | |
| | | | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | A B C | | |
| Alabama | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Alaska | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Arizona | | | | | 1 | | | | | | | | | 1 | | | | | | | | 1 | 1 | | | 1 1 | 1 | | 1 | 8 | 7 |
| Arkansas | | | | | | | | | 1 | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| California | 1 | 3 | 1 | 2 1 | 1 | | | 1 | 1 | 1 | 1 | 1 | | | 1 | | 1 | | | | 1 2 | 1 1 | 1 | | 1 | 2 | 3 | 7 | 2 | 37 | 35 |
| Connecticut | | | | | | | | | | | | | | | | | | | | | | 1 | | | | | | | | 1 | 1 |
| Delaware | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| Florida | 1 | | 1 1 | 1 | | | | 1 | 3 | | | | | 3 | 1 | | | | | | 5 | 3 | 2 | | | 2 | | 2 | | 26 | 24 |
| Georgia | | | 3 | 1 | | | | 1 | 1 | 1 | | | | 1 | | 1 | | | | | 7 | 8 | | 1 | 1 | | 2 | | 1 | 28 | 26 |
| Hawaii | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Idaho | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Illinois | 5 | 2 | 10 4 | 1 | 1 1 | | 1 | | | | | | 2 | | 2 | | 1 | 1 | | | 2 1 | 2 1 | 1 3 | | 1 | | 1 2 | 1 | | 46 | 39 |
| Iowa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Louisiana | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | | | | 1 | 1 |
| Maryland | | | 2 2 | 1 | 1 | 1 | 1 | 4 | 7 | 1 | 2 | 1 | | | 1 2 | | | | | | 5 | 1 | 1 4 | | | 1 | 2 1 | 1 | 4 | 46 | 44 |
| Massachusetts | | | 1 1 | 1 | | 1 | | | | 1 | | | | | | | | | | | | | | | 1 | | 1 | 1 | | 8 | 2 |
| Michigan | | | 1 | | 1 | | | | | | | | 1 | | | | 1 | 1 | | | | | | | | | | | | 5 | 1 |
| Minnesota | | | 1 | | | 1 | | | | | | | | | | | | | | | | | | | | | | | | 2 | 1 |
| Mississippi | | | 3 | 1 | | 1 | | | 2 | | | | | | | | | | 1 | | | | | | 1 | | 2 | 1 1 | 1 | 14 | 13 |
| Missouri | | | | | | 1 | | | | | | | 1 | | | | | | | | | | | | | | | | | 2 | 1 |
| Nebraska | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| New Jersey | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| New Mexico | | | | | 1 | | | | | | | 2 | 1 | | | | | | | | | | | | | 1 | | 1 | | 6 | 4 |
| New York | | | 1 2 | | | | | 2 | 1 1 | 1 | | 1 | | | | 2 | | | | | | 2 | | | 1 | 1 | 1 | 1 1 | | 18 | 15 |
| North Carolina | | 1 | 1 | 1 | 1 | 1 | 1 | | | | 1 | | 1 | | | | | | | | | | | | | | | 1 | | 9 | 7 |
| Ohio | | | | | | 2 | 1 | 1 | 3 | | | | | | | 2 | | | | | 7 | 1 1 | 2 | | | | 2 | 1 | | 23 | 22 |
| Oklahoma | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Oregon | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Pennsylvania | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Rhode Island | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| South Carolina | | | | | | 1 | | | | | | | | | | | | | | | | | | | | | | | | 1 | 1 |
| Tennessee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Utah | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Vermont | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 | 0 |
| Virginia | | 1 | | | 1 | | | | | | | | | | | | | | | | 2 | | 1 | | 1 | | | | | 6 | 5 |
| Washington | | | | | | | | | | 1 | | 1 | | | | | | | | | | 1 | 1 | 1 | 1 | | | 1 | 1 | 8 | 6 |
| West Virginia | | | | | | 1 | | | | | | | | | | | | | | 1 | | | | | | | | | | 2 | 1 |
| Wisconsin | | | | | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | 2 | 2 |
| TOTALS Legislation | 8 | 7 | 18 17 0 | 4 6 0 | 7 2 1 | 2 9 0 | 3 1 0 | 1 9 0 | 2 18 0 | 1 5 0 | 0 4 0 | 2 4 0 | 6 0 0 | 0 5 0 | 4 3 0 | 0 5 0 | 3 0 0 | 2 0 0 | 1 0 0 | 0 1 0 | 3 29 0 | 5 19 0 | 4 13 0 | 0 2 0 | 1 5 1 | 3 7 0 | 1 16 1 | 11 8 1 | 0 10 0 | 301 | 260 |
| TOTALS States | 4 | 4 | 11 | 13 | | 11 | | 8 | | 7 | | 5 | 5 | 3 | 4 | 3 | 3 | 2 | 1 | 1 | 7 | 10 | 8 | 2 | 7 | 7 | 9 | 11 | 6 | | |

*Institutional Classification Code: A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education Other Than Community and Junior Colleges

It is extremely tempting to provide broad generalizations and extensive interpretive comment about nationwide state legislative activity. The authors handle the temptation in the way this report is organized. In the first sections, only straightforward reporting is presented and no interpretation is attempted. In the concluding section, however, attention is focused on questions related to the meaning and importance of the main observations made earlier concerning the magnitude of interest in various topics, as well as the trends in legislative activity. The concluding observations are thought to be sound and generally supportable because it is believed that the cooperative effort in producing this report assures virtually complete identification of action relevant to the field.

At the same time, the reader must remember that the data reviewed in this report have certain limitations. First, ten of the fifty-one state directors did not supply us with information; while not a high proportion in a survey study of this kind, the possible gap in information should not be overlooked. Why some states did not respond to our repeated requests for information is difficult to establish. Some instances were reported where the requests were misplaced in the confusion of relocation and/or personnel transition. In any case, the absence of information from some states means that the review is limited to the reporting states even though it is quite possible that similar actions were taken in the non-reporting states.

A second limitation is the possibility that not all legislative activity occurring even in the reporting states was transmitted. Some states have a number of specialized staff dealing with community and junior college matters who can monitor all legislative developments; others do not and find cooperation more difficult. The fine cooperation of the several state directors and their staffs is to be emphasized, but the limitations stated must also be noted.

## Overview of Results

Before reviewing each of the major legislative areas in depth, a brief, general overview of the reported legislation may be useful. State legislatures were far more active this year in legislative action related to postsecondary education than in either of the two preceding periods studied, 1973-75 and 1976. During the 1973-75 period, thirty states and Puerto Rico reported 394 pieces of enacted and proposed legislation, and in 1976, forty-six states reported 287 bills (171 enacted and 116 proposed). In 1977, the forty-one responding states reported 578 pieces of legislation (318 enacted and 260 proposed), more than twice as many as in 1976.

The areas receiving the most attention remained relatively the same this year. Administrative and financial bills continue to be most prominent. Twenty-seven states in 1977 reported 194 bills (107 enacted and 87 proposed) affecting administration, and thirty-seven states reported 184 financial bills (134 enacted and 50 proposed). This compares to 148 administrative bills and 95 financial bills reported in 1976. Significantly, the number of personnel bills substantially increased. More than three times as many were reported this year. Institutional growth is still receiving relatively little attention. Only twelve pieces of legislation (5 enacted and 7 proposed) were received in this category.

Finally, the number of states reporting large amounts of legislation increased. In 1976, California and Florida reported far more bills than the other states. California with 83 bills still reported more legislation than any other state in 1977 (48 enacted and 35 proposed), and the Florida legislature was quite active, too, with 56 bills (32 enacted and 24 proposed). However, Illinois with 74 bills (35 enacted and 39 proposed), Maryland with 55 bills (11 enacted and 44 proposed), and North Carolina with 47 bills (40 enacted and 7 proposed) are also states with significant amounts of legislative activity.

## II

# TOPICAL ANALYSES OF STATE LEGISLATION AND RESULTS

This section reviews the legislation in each of the seven major areas of analysis established for this report: finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. Abstracts of the actual bills and laws reported are presented in Appendix A. Readers interested in obtaining more detailed information or seeing the entire legislative language of an act or proposal are encouraged to contact the authors or the state director of community and junior colleges in the appropriate state.

An explanatory comment regarding the format used to identify specific legislative items (abstracts) in the text of the report may be useful here. Whenever a legislative measure is discussed, an identification number accompanies it (e.g. 5-12). This number identifies the state and bill numbers used to organize the legislative abstracts in Appendix A: the first number identifies the state and the second number identifies the bill. To review the abstract of a bill identified in the text, use the identification number noted to find the legislative abstract in Appendix A.

An index to the legislative abstracts is provided in Appendix B. In this index, all legislative items falling within each of the twenty-five subject categories is identified. Therefore, to review all of the legislation reported related to a specific subject category, consult Appendix B.

### Area 1: Finance

Thirty-seven states reported a total of 184 bills (134 enacted and 50 proposed) that affect the financing of postsecondary education in general and community and junior colleges in particular. These financial bills are distributed among three subject categories: appropriations for operations, capital funds, and financial procedures. A summary of the bills in each category follows.

### Appropriations for Operations

Much of the legislation in this category deals with general state appropriations for community and junior colleges. Twenty-six states provided specific appropriation amounts. Table 4 lists those states reporting appropriation figures for 1976-77 and 1977-78.

Two observations are warranted. As in the past, state legislatures continue to provide increased appropriations in absolute dollars to community and junior colleges for 1977-78. However, there is a wide variation in the percentage increase

## TABLE 4

## GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1976-77 AND 1977-78

| | 1976-77 | | 1977-78 | |
|---|---|---|---|---|
| State | Appropriation | Percent Change | Appropriation | Percent Change |
| Alabama | $ 29,000,000 | 2.0 | $ 33,050,000 | 14.0 |
| Alaska | 12,848,200 | - | 13,896,200 | 8.2 |
| Arizona | 34,513,471 | 15.9 | 39,538,000 | 14.6 |
| Arkansas | 9,913,862 | 20.1 | 10,650,837 | 7.4 |
| Connecticut (a) | 27,139,031 | 6.5 | 30,521,012 | 12.5 |
| Delaware | 9,505,125 | - | 10,597,522 | 15.3 |
| Florida | 161,582,330 | 8.4 | 179,314,348 | 11.0 |
| Hawaii | 18,654,648 | - | 21,418,127 | 14.8 |
| Idaho | 2,788,100 | 12.5 | 3,176,400 | 13.9 |
| Illinois | 128,805,644 | 13.6 | 133,664,011 | 3.8 |
| Iowa | 29,800,000 | 15.5 | 32,714,100 | 9.8 |
| Maryland | 38,157,454 | 2.2 | 46,162,488 | 21.0 |
| Massachusetts | 43,536,400 | 9.1 | 45,378,117 | 4.2 |
| Mississippi | 20,380,769 | .7 | 24,700,000 | 21.2 |
| Missouri | 23,947,760 | 29.0 | 27,600,000 | 15.3 |
| New Jersey | 31,877,400 | 6.3 | 47,950,000 | 41.5 |
| New York | 93,950,000 | 5.7 | 102,947,000 | 9.6 |
| Oklahoma | 23,086,584 | - | 27,772,803 | 20.3 |
| Oregon | 34,684,425 | 15.9 | 41,220,570 | 18.8 |
| Pennsylvania | 44,892,000 | - | 46,651,000 | 3.9 |
| Rhode Island | 12,470,576 | 34.3 | 13,459,758 | 7.9 |
| South Carolina | 28,102,830 | -.8 | 28,765,303 | 2.4 |
| Tennessee | 21,879,000 | 22.6 | 24,181,000 | 10.5 |
| Utah | 13,145,400 | - | 15,761,000 | 19.9 |
| Washington (b) | 106,508,940 | - | 137,632,934 | - |
| Wisconsin | 38,515,200 | 11.6 | 44,676,400 | 16.0 |
| Average Increase | | 12.2 | | 13.5 |

(a) Includes funds for the regional community colleges and the state technical colleges.

(b) The percentage increase in appropriations was not computed for Washington because the respondent indicated that the figures were not comparable due to a change in the funding mechanism.

among the states. New Jersey reported an increase of over 30 percent. Three states reported increases between 20 and 30 percent – Maryland, Mississippi, and Oklahoma. Appropriation increases in the 10 to 20 percent range were the most frequent. Twelve states fell in this category: Alabama, Arizona, Connecticut, Delaware, Florida, Hawaii, Idaho, Missouri, Oregon, Tennessee, Utah, and Wisconsin. Nine states – Alaska, Arkansas, Illinois, Iowa, Massachusetts, New York, Pennsylvania, Rhode Island, and South Carolina – reported increases between 0 and 10 percent.

A comparison of the appropriations for 1976-77 and 1977-78 is also interesting. The average appropriation increase was higher in 1977-78 than in 1976-77. The figure for 1976-77 was 12.2 percent and for 1977-78, 13.5 percent. This does not necessarily mean that the financial picture is improving for community and junior colleges. It must be remembered that only twenty-six of the fifty states reported, and the average percentage increase was only 1.3 percent over the previous year. Nevertheless, it may be a hopeful sign. Also noteworthy is that of the nineteen states where a comparison of the percentage increase could be made for 1976-77 and 1977-78, eleven showed a greater percentage increase for 1977-78 than for 1976-77. Those states were Alabama, Connecticut, Florida, Idaho, Maryland, Mississippi, New Jersey, New York, Oregon, South Carolina, and Wisconsin.

General appropriations bills were not the only ones reported in this subject category. Several states reported bills that provide funds for special projects or programs. Two examples are relevant. A law enacted in Illinois (13-25) appropriates almost $29 million to the Board of Higher Education for a computerized management information system. In Mississippi (24-11), the state legislature provided $1,410,900 to support associate degree nursing programs in eleven junior colleges.

Also noteworthy are bills related to funding formulas. Six states reported such acts. Of major importance are bills passed by the Maryland and New Jersey legislatures. The Maryland enactment (20-6), the most significant reported by this state, increased the base level of state support from $700 to $800 per FTE for most community colleges and from $1,100 to $1,250 per FTE for small and regional community colleges. Similarly, the New Jersey act (30-1) increased state aid to community colleges from $600 to $700 per FTE while restricting state aid to those students enrolled in credit and noncredit remedial, developmental, general education development, and adult basic education courses.

## Capital Funds

Sixteen states reported a total of thirty-one proposals (24 enacted and 7 proposed) related to capital funds. These bills fell into three categories: appropriations for capital construction, bonding authority, and methods of obtaining or using capital funds. Most bills dealt with capital fund appropriations. Two examples are a North Carolina law (33-39) providing $2 million over a two-year period for construction within the community college system and a Louisiana law (18-4) appropriating $747 million in capital funds for the state's entire higher educational system.

Bonding authority bills were reported by Illinois (13-21), Maryland (20-3), and Virginia (46-14). The measures in all three states passed although the Maryland one reduces bonding authority due to a surplus of available funds.

Two states reported bills pertaining to the use of capital funds, which are interesting for the perspective they provide on some legislators' attitudes toward postsecondary construction. A measure passed in Washington (47-11) provides capital funds for code compliance, handicapped access, repairs, and renovations but not for any new capital construction. A California bill (5-64), vetoed by the governor, would have diverted funds from the Capital Outlay Fund for Public Higher Education to various other state agencies for land development and construction not related to postsecondary education. Community college advocates in California were particularly pleased by the governor's veto of this bill. Although they have not utilized these funds in the past because of available bond money, they will need to in the future since bond money is no longer available.

## Financial Procedures

As was true in 1976, more legislative proposals were reported in the financial procedures category than in any of the other twenty-five subject categories. However, many more bills were reported this year then last. In 1976, forty-six bills (34 enacted and 12 proposed) were reported while in 1977 ninety-eight bills (63 enacted and 35 proposed) were received.

Legislative action with regard to financial procedures takes many forms. For example, some bills change budgetary procedures; others change the pattern of influence over financial decisions; and still others alter the costs institutions must bear. To better conceptualize the types of legislative activity occurring in this field, a special classification scheme was applied to the bills in question. Each was placed in one of seven subcategories according to its type of impact. The seven categories are:

1. Legislation resulting in greater institutional financial flexibility.
2. Legislation resulting in greater state control over the expenditure of funds.
3. Legislation resulting in less institutional flexibility but not more state control.
4. Legislation resulting in a greater amount of available funds.

5. Legislation resulting in a decrease in available funds.

6. Legislation affecting auditing and/or accounting methods.

7. Legislation that leads to only procedural changes in the budgetary process.

Essentially, this is the same classification scheme used in 1976. However, two new subcategories (numbers 3 and 7) were added this year to portray more accurately the data reported. The chart below indicates the amount of legislation in each of the categories for 1976 and 1977.

| | Legislation Enacted | | Legislation Proposed | | Total | |
|---|---|---|---|---|---|---|
| | 1976 | 1977 | 1976 | 1977 | 1976 | 1977 |
| More Flexibility | 13 | 9 | 4 | 3 | 17 | 12 |
| More State Control | 4 | 12 | 2 | 6 | 6 | 18 |
| Less Flexibility | - | 5 | - | 1 | - | 6 |
| More Funds | 7 | 7 | 1 | 5 | 8 | 12 |
| Less Funds | 2 | 8 | 2 | 1 | 4 | 9 |
| Accounting/Auditing | 7 | 3 | 2 | 2 | 9 | 5 |
| Procedural | - | 17 | 0 | 9 | - | 26 |
| TOTALS | 33 | 61 | 11 | 27 | 44 | 88 |

Note: Two 1976 pieces of legislation and ten 1977 pieces were not classified due to limited information on these bills.

The above chart warrants several observations. First, the number of bills reducing institutional flexibility either through more state control or increased public input was much greater in 1977 than in 1976. Twenty-four such bills were reported in 1977 while there were only six in 1976. Second, the number of bills increasing institutional flexibility was about the same in both years. Third, bills falling in the procedural subcategory — a new category added in 1977 — outnumbered the bills in any other category. A review of the bills in each category follows.

Twelve of the eighty-eight bills reported increased institutional flexibility with respect to financial matters. Several examples illustrate this type of legislative action. HB 341 passed in Arkansas (4-3) permits all postsecondary institutions to obtain temporary loans for operational purposes from the State Budget Revolving Fund. Formerly, institutions received state funds as revenues accrued to the state throughout the year, but institutional cash flow needs did not necessarily correspond to this distribution mechanism. The temporary loans provided for in this measure are intended to rectify this cash flow problem. A new Mississippi law (24-4) permits certain surplus funds to be invested at daily interest by removing a provision permitting the investment of surplus funds only if they are not needed during the succeeding three months. A bill proposed in California (5-68) would have removed the provision requiring community college districts to spend 50 percent of their funds on instructors' salaries. Finally, a bill proposed in Illinois (13-53) would have authorized community college boards to increase operating tax rates by .175 percent for educational purposes, .05 percent for building and site purposes, and .01 percent for adult education and public service activities without holding a referendum.

Eighteen reported bills (12 enacted and 6 proposed) are designed to increase state control over finances. Several examples can be identified. Two states reported new laws requiring postsecondary institutions to submit annual expenditure reports to the legislature. This is the case in Michigan (22-1) where SB 210 requires community colleges to provide an annual accounting of income and expenditures and in Nebraska (27-4) where LB 459 requires all postsecondary institutions to report the receipt and expenditure of all funds from private sources used to fund existing or establish new programs. Connecticut (7-3), Massachusetts (21-5), and Minnesota (23-7) reported bills giving state boards greater authority over institutional budgets. In all three states, this action was part of an attempt to establish new or reorganize existing state-level boards. Only the Connecticut bill calling for the new state board to prepare a consolidated budget for all of higher education passed.

Also indicative of legislative attempts to institute greater state control are bills from six states providing for greater state-level involvement in the acquisition and use of federal funds. Particularly noteworthy are bills reported by Illinois, Georgia, and New York. The Illinois bill (13-64), vetoed by the governor, would have required that all federal funds be reappropriated by the state legislature. However, a measure was enacted that requires state agencies to report all federal funds received to the Commission on Inter-governmental Relations. A Georgia proposal (10-6) would have required state agencies to receive approval from the Fiscal Affairs Subcommittees of both legislative houses before spending state funds on certain federal programs. The New York bill (32-23), which did not pass, would have required the submission of all applications for federal funds to a state control board and the deposit of federal funds in the state general fund before distribution.

Four states reported six bills resulting in less institutional flexibility but not designed to increase state-level control. Relevant here is an Arizona enactment (3-4) containing several budgetary provisions, including a section requiring each community college district to publish and hold a public hearing on the proposed annual budget. Of particular interest is the prescription that the published budget document contain eight specific items comparing the proposed budget with the previous year's budget and a detailed account of any required tax increase. A new Nebraska law (27-1) has a similar intent. It provides that public bodies authorized to levy taxes must limit budget increases to 7 percent or the average percentage increase of the preceding three years. If a larger increase is warranted, a public hearing must be held.

Twelve bills (7 enacted and 5 proposed) addressed the issue of increasing available funds. One example is HB 1557 enacted in Illinois (13-16). It permits the Illinois Community College Board to receive, spend, and administer funds from the federal government, as well as from other public and private agencies. A law enacted in North Carolina (33-37) provides additional operating funds for the community college system by transferring $7.4 million in federal vocational funds from the construction fund. Finally, an Illinois bill (13-55), which passed out of committee but was referred for further study, would have authorized local government entities to levy taxes and issue bonds to cover unemployment compensation claims.

Eight states reported nine bills (8 enacted and 1 proposed) designed to reduce the amount of funds available. Several of these measures are quite important. First, Pennsylvania and Florida reported legislation that would subtract nonstate funds before the awarding of state aid. The Pennsylvania action (38-1) appeared in the general state appropriation bill, which includes public community colleges, and required that state operating and capital payments be reduced to account for any federal aid awarded to an institution. The Florida proposal (9-50), which failed, would have provided for a new community college funding formula based on total cost and deducting certain nonstate funds to determine the needed appropriation from the state.

Second, four states reported legislation requiring that enrollments and appropriations be more closely related. A Virginia enactment (46-17) downwardly adjusted previously appropriated 1977-78 funds as a result of the community colleges' failure to reach projected enrollments. The Washington legislature passed a law (47-12) requiring community colleges to return funds when enrollments fall below projected levels. Previously, these institutions could fall 3 percent below projected enrollments before returning funds. In North Carolina (33-36) and Tennessee (42-6), new laws require that institutional budgets be altered to reflect enrollment changes.

Third, two states took steps to reduce or eliminate funds for certain community college programs. In Pennsylvania, a clause in the appropriation measure (38-1) eliminates state aid for community service activities. Similarly, a New Jersey enactment (30-1) restricts state funding to credit and specific noncredit courses.

Only five bills (3 enacted and 2 proposed) affect accounting and auditing procedures. Illustrative is a law enacted in New York (32-7). It directs the state comptroller to submit an audit report to the affected agency and requires a written response. Also noteworthy are two Maryland proposals. The first (20-42), which ultimately failed, would have required an annual audit of every community college and institutional compliance with all audit recommendations. The second (20-29), which also failed, would have authorized the legislative auditor to conduct annual rather than biennial audits.

The final subcategory noted here identifies those bills requiring procedural changes in the budgetary process. Twenty-six bills (17 enacted and 9 proposed) were reported in this category. Three enactments illustrate this type of legislative action. The Florida legislature passed a law (9-9) providing for biennial rather than annual budgets for all state agencies including schools. An approved Mississippi measure (24-1) requires transportation and freight costs to be included when determining the lowest bid for educational supplies and equipment. Lastly, the Maryland legislature enacted a measure (20-4) permitting all public higher educational institutions to accept payment by credit card for student tuition and fees.

## Area 2: Administration

State legislative action affecting community and junior college administration is more numerous than legislation in any of the other six major areas covered. Twenty-seven different states reported 194 bills (107 enacted and 87 proposed) having some impact on administration. As in 1976, the administrative proposals were distributed among six subject categories: governing bodies, process of policy formation, administrative operations, coordination, studies and surveys, and enabling legislation. The type of legislative activity occurring in each of these categories is reviewed below.

### Governing Bodies

Legislation affecting local and state-level governing bodies is reported in this section. It is important to note that these bills deal only with board composition and procedures, not with authority. Bills affecting the authority of governing boards are discussed under the subject category "process of policy formation." In all, thirty-seven bills (17 enacted and 20 proposed) appeared in this category. Seventeen of these focused on state-level boards and twenty-two affected local boards.

State legislatures acted upon several different types of bills affecting governing bodies during 1977. One type controls potential conflict of interest situations. Illustrative is a new Arizona law (3-3) prohibiting community college employees and their spouses from serving on the district board that employs them. Two North Carolina proposals (33-42, 33-45) have a similar intent. Neither passed but both would have prevented elected officials and state employees from serving on education boards related to their professions.

Bills introduced in several states were designed to affect board composition and the role of governing board members. A bill proposed in New Mexico (31-10) would have increased the number of regents at the New Mexico Junior College from five to seven, and a Florida proposal (9-41) would have increased the number of members on the State Community College Council from seven to ten. A law enacted in West Virginia (48-1) adds the chairman of the Faculty Advisory Council to the Board of Regents as an exofficio voting member.

Particularly important is legislative activity in nine states affecting the role of students with regard to governing boards. Several examples are illustrative. A new Massachusetts law (21-2) requires that a student be elected to serve on the advisory board of each regional community college. The California and North Carolina legislatures passed laws providing for nonvoting student members to serve on governing boards. The California enactment (5-11) requires that a student be appointed to the Board of Governors and to each community college district board. The North Carolina law (33-21) adds a student to the board of each community college, technical institute, and industrial education center. A similar measure (46-18) was introduced but defeated in the Virginia legislature. Also important are laws enacted in Illinois (13-9) and New York (32-9). Both extend all parliamentary privileges, except the right to vote, to all student board members, including the right to move and second motions and place items on the board's agenda.

Several proposals affected board member selection, length of term, and behavior. Measures reported by Wisconsin, Maryland, California, and Florida provide examples of this type of legislation action. The Wisconsin proposal (49-3) would have changed the selection process (among other things) for vocational, technical, and adult education district boards. Previously, an appointment committee selected all seven district board members. If passed, this bill would have permitted the public to elect four of the members. The Maryland provision (20-2), which passed, rectifies an omission in the 1976 governance legislation. It gives the governor the power to appoint all seven members of each community college district board for six-year terms. The California bill (5-65), vetoed by the governor, would have provided that all members of the California Community College Board of Governors serve staggered, six-year terms. Finally, a new Florida law (9-14) requires each community college board chairman to inform the governor if any member misses three consecutive meetings and specifies that such activity may be grounds for dismissal.

## Process of Policy Formation

Legislation in this subject category includes bills that determine who decides and in what way at the local and state levels. In other words, the bills here deal with authority and power. A total of thirty-one such bills (16 enacted and 15 proposed) were reported. Twenty of these affected state-level authority and eleven were locally oriented.

Many commentators on postsecondary education (and community colleges in particular) have noted what they believe to be an increasing trend toward state-level control. Several states reported bills that appear to confirm that state legislatures are taking such actions. Perhaps the most important measure reported here is HB 7658 enacted in Connecticut (7-3). This law organizes the public postsecondary educational institutions, including the University of Connecticut, the state colleges, the regional community colleges, and the state technical colleges, into one state system. It also creates a new Board of Higher Education with extensive responsibilities, including but not limited to the development of a statewide policy for postsecondary education, the preparation of a consolidated public higher education budget, and authority to recommend the merging, closing, or changing of existing programs, facilities, and campuses.

Legislation related to statewide boards appeared in several other states, too. The Arkansas legislature passed a comprehensive measure (4-6) reenacting most of the previous postsecondary education legislation. Included in this measure were provisions expanding the State Board of Higher Education's responsibilities, including directives to review all programs and develop a single budgetary form to be used by all postsecondary institutions. A bill (21-5) introduced by the governor of Massachusetts would have created a new statewide board for higher education with considerable responsibilities for planning and coordination. Although the legislature did not pass the governor's proposal, it did establish a committee to study the possible reorganization of postsecondary education in the state.

Bills reorganizing state-level boards were also introduced in Minnesota and South Carolina. The Minnesota bill (23-7) would have given the Higher Education Board authority to approve, disapprove, or modify postsecondary budgets, and the South Carolina bill (40-2), expected to be reconsidered next year, would have led to greater centralization of authority at the state level. Also noteworthy in this regard is Executive Order Number Thirty (8-3) in Delaware. It reorganized the Delaware Postsecondary Education Commission and designated its primary responsibility as that of developing comprehensive plans for postsecondary education, including the determination of the role and scope of the various institutions and the approval of proposed degree programs.

Less action was taken with regard to local institutional authority; however, two examples can be provided. A bill considered in Ohio (35-19) would have repealed the requirement that technical college trustees receive Board of Regents' approval before taking certain actions. A measure enacted in Illinois (13-24) established a separate board of trustees for the experimental community college in East St. Louis, an institution previously governed by the Illinois Community College Board.

Some bills reported in 1977 indicate that state legislatures are interested in expanding their oversight responsibilities with regard to state government in general and postsecondary education in particular. One example of this type of action is legislation designed to control institutional expansion and construction. The West Virginia legislature passed, but the governor vetoed a proposal (48-7) that would have required legislative approval before any new postsecondary institutions could be established in the state. In Arkansas, a new law (4-1) requires all state supported postsecondary institutions to receive legislative approval before undertaking construction projects in excess of $50,000.

Also important is legislation intended to extend legislative control over state agencies' operations. A Wisconsin bill (49-2) would have required that all executive branch board actions—rules, decisions, expenditures—be approved by the appropriate standing committees in both legislative houses. A new Ohio law (35-6) permits the legislature to invalidate state agency rules. HB 1393 passed in West Virginia (48-2) requires the Board of Regents to file a copy of any proposed rule changes with the Legislative Rule-Making Review Committee. A bill considered in Maryland (20-30) would have extended from forty-five to sixty days the time period in which the legislature may overrule state agency rule proposals. Finally, a measure passed by the Nebraska legislature (27-4) appoints a legislative committee to redefine the roles and missions of the state's postsecondary institutions.

## Administrative Operations

Unlike the bills reported in the previous section, the legislation in this category does not have a major, substantive impact on the decision-making process. Often it deals with day-to-day administrative procedures. Nevertheless, administrative operations bills can significantly influence postsecondary educational affairs as noted below. In all, sixty-three bills (33 enacted and 30 proposed) fell into this category. Forty-two of these were locally oriented while twenty-one focused on state-level matters.

Many of the legislative actions in this category address managerial issues. Several examples illustrate the point. A bill vetoed by New York's governor (32-22) would have created an advisory board to help state agencies improve productivity. A measure enacted in Mississippi (24-6) requires public universities to develop a system of manpower management and reporting. Although community colleges were not included in this, an informal agreement between community college presidents and the bill's author is expected to lead to the development of a manpower management and reporting system for these institutions. In Illinois, an enactment (13-25) provides for the development of a management information system. In Florida, a new law (9-28) permits community college trustees to sell lost and abandoned property found on campus.

Other administrative procedures bills, which appear to be relatively routine in nature, have the potential to affect significantly institutional administration. This is the case with "freedom of information" legislation. Two states reported bills providing for greater public access to institutional records. A measure enacted in New York (32-5) expands the existing law permitting public access to state-related documents and information. A bill introduced in the Florida legislature (9-45) would have prohibited state agencies from charging persons fees to inspect institutional records.

Two states passed legislation providing access to student records. A California law (5-4) made technical changes in the current student access provisions to make them conform to federal regulations, and a Florida law (9-23) established access rights for students, parents, and guardians, to student records maintained by public schools, community colleges, and universities.

Two other bills relate to nonstudent record maintenance. A Florida proposal (9-46) would have required the State Board of Education to adopt rules concerning the contents of personnel records, and a Maryland bill (20-47) would have permitted state and local agencies to maintain only information on persons that is relevant to the agency's goals.

The extent to which individuals are taking advantage of these provisions expanding public access to institutional records is not known. However, these "freedom of information" acts do represent an attempt by state legislatures to make state institutions more open to public inspection. In the long run, bills of this kind may alter the way that state agencies and postsecondary institutions administratively function.

Legislative activity with a similar intent is that directed at providing greater public access to the meetings of state bodies and institutions. Six states reported such bills. A "Sunshine" law enacted in Maryland (20-7) requires all public bodies to hold open meetings. A Florida bill (9-44), vetoed by the governor, would have required state entities to pay attorney's fees if they were found guilty of violating the open meetings requirement. New York (32-6) and Florida (9-6) passed laws requiring public bodies to hold their meetings in buildings accessible to the handicapped. In California, a measure recently signed by the governor (5-7) permits citizens to raise issues at community college board meetings even if they are not on the agenda.

Finally, some "administrative procedures" bills are a product of the public's increased willingness to file suits against state agencies and postsecondary institutions. For example, four states—Florida (9-24), Georgia (10-25), Mississippi (24-15), and Ohio (35-23)—reported bills designed to authorize state bodies to purchase liability insurance. However, only the Florida measure was enacted.

## Coordination

Several developments during the last several years, including the economic recession, have led many state legislatures to search for ways to use more efficiently and effectively state resources. The encouragement and imposition of coordination efforts at the local and state levels is one consequence of this concern. Twenty-three coordination bills were reported in 1976. Legislative action in 1977 indicates that state legislatures are not lessening their interest in this field. Twenty-six coordination bills (16 enacted and 10 proposed) were reported this year. Eighteen of these affected state-level coordination while eight were more locally oriented.

Several examples of bills concerned with state-level coordination can be provided. Certainly the legislation previously reported in the "policy formation" section proposing or establishing new state-level boards reflects state legislatures' concerns with coordination. It should be recalled that a new statewide board for public postsecondary education with extensive planning and coordinating responsibilities was created in Connecticut (7-3); a similar board was proposed by the Governor of Massachusetts (21-5); the Delaware Postsecondary Education Commission was reorganized and made responsible for comprehensive postsecondary education plans as a result of Executive Order Number Thirty (8-3); and in Arkansas (4-6), the State Board was directed to develop a comprehensive master plan for all postsecondary education.

Also noteworthy are bills reported by North Carolina, Washington, Nebraska, and Minnesota. The North Carolina bill (33-44) would have required the University of North Carolina Board of Governors and the Department of Community Colleges to prepare a report on program duplication and steps taken to eliminate it. A proposal introduced in the Washington legislature called for a thirteen-member state commission to study the state's entire educational system while paying particular attention to overlapping responsibilities, lack of coordination, and inefficient use of resources. The enacted Nebraska measure (27-4) directs the state Coordinating Commission for Postsecondary Education to develop an integrated delivery system for adult and continuing education. Finally, a Minnesota law (23-1) and the Nebraska measure just mentioned require the development of credit transfer articulation systems among postsecondary institutions.

Bills encouraging institutional cooperation and coordination were reported by several states. A few examples can be provided. A California bill (5-61), passed by the legislature but vetoed by the governor, would have established a three-year competitive grant pilot program to encourage increased cooperative efforts among institutions participating in regional consortia. Another California measure (5-21), which was enacted, authorizes community colleges to contract for educational services with public and private institutions in a neighboring state. A Florida law (9-11) includes a clause calling for the development of joint-use facilities among public schools, community colleges, the Board of Regents, and the Florida School for the Deaf and Blind. Finally, a Maryland bill (20-44) would have requested the State Board of Higher Education to develop reciprocal library borrowing privileges for faculty at all publicly supported postsecondary institutions.

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## Studies and Surveys

Twenty-four bills (18 enacted and 6 proposed) were reported in this category. Eleven of these provide for studies of statewide postsecondary and community college issues. For example, legislation passed in Arkansas (4-7), Massachusetts (21-1), and Nebraska (27-4) and introduced in Washington (47-15) and New York (32-25) calls for comprehensive reviews of postsecondary education. Another example is legislation requiring review and revision of community college enabling legislation. The North Carolina legislature enacted such a measure (33-25), and one was proposed in the New Mexico legislature (31-8). Finally, the Utah legislature passed a measure (44-3) requiring that a study be conducted to determine which state board should govern the technical colleges, and the North Carolina legislature directed the House Committee on Higher Education to study the possibility of establishing a separate board for community colleges (33-26).

Other bills reported in this category provide for studies of very specific issues. A resolution passed in Virginia (46-8) directs the Council of Higher Education to study grade inflation. Another resolution enacted in Virginia (46-7) calls for a study of outside faculty employment to determine if it detracts from faculty members' primary responsibilities. A California enactment (5-3) requires the Postsecondary Education Commission to study the results of affirmative action programs in state postsecondary institutions. In Maryland, a proposed measure (20-43) would have directed a legislative committee to study the possibility of having state postsecondary institutions provide services to the legislature.

## Enabling Legislation

Fewer bills appeared in this subject category than in any of the other five administration subject categories. Only thirteen bills (7 enacted and 6 proposed) were reported here. This is to be expected, of course, since the community college systems in most states are firmly established now.

Therefore, many of the bills in this category only make technical changes in basic community college acts. For example, an enacted Minnesota measure (23-5) deletes obsolete cross-references in the state statutes, and a law enacted in Arizona (3-1) repeals obsolete provisions affecting junior colleges within high school districts. Illinois (13-56) and Michigan (22-2) reported more significant enabling legislation proposals. Both would have required that all state territory be incorporated into community college districts if they had passed.

## Administrative Legislation and Institutional Autonomy

In each of the two previous studies an effort was made to understand better legislative interest in institutional administration by analyzing legislative actions according to their effect on institutional autonomy. To do this, each bill falling within the administration subject categories of "governing bodies," "policy formation," "administrative procedures," and "coordination" was classified according to whether it affected postsecondary education primarily at the state level or institutional level. For those bills having a local impact, an additional twofold distinction was made. First, each bill's language was evaluated to determine whether it was intended to be mandatory or permissive. Second, each bill's content was examined to determine if it would erode institutional autonomy, support institutional autonomy, or simply provide for procedural changes.

Two changes in this analytical technique were adopted this year. Unlike last year, the 1977 bills were cross-tabulated. That is, instead of separately tabulating each piece of legislation according to the mandatory, permissive, erosive, supportive, and procedural categories, each bill was identified as mandatory-erosive, permissive-supportive, mandatory-procedural, etc. This is shown graphically on the chart below. In addition, the procedural category was introduced this year to take into account bills that did not affect institutional autonomy in a substantive way.

| | Mandatory Bills | Permissive Bills | Totals |
|---|---|---|---|
| Erosive Bills | 35 | 2 | 37 |
| Supportive Bills | 3 | 14 | 17 |
| Procedural Bills | 19 | 3 | 22 |
| Total | 57 | 19 | 76 |

Eighty-five bills with a local impact were reported in the four subject categories used for this analysis. Of these, seventy-six could be clearly classified. As the chart indicates, the language of an over-whelming number of the bills *required* certain actions. The content of most bills would erode institutional autonomy. Examples of the types of bills falling into each cross-tabulated category are reviewed below.

Thirty-five bills were classified in the mandatory-erosive category. This was the largest number of bills in any of the six categories. Mandatory-erosive legislation requires institutions to take certain action that erodes institutional autonomy at the same time. Several illustrations follow. A measure enacted in Arkansas (4-1) requires public postsecondary institutions to receive legislative approval before beginning construction projects costing more than $50,000. A Florida law (9-23) requires educational institutions to provide students with access to their records. In California, the governor signed a measure (5-11) requiring each community college district to appoint a nonvoting student member to the board. A new Maryland law (20-7) requires all public bodies to hold open meetings. In Michigan, the passage of SB 210 (22-1) means that community colleges are prohibited from entering into joint facility use agreements with four-year institutions without legislative approval.

Only three bills were classified as being mandatory-supportive. Examples are an enacted Florida measure (9-27) providing a partial exemption for educational units from the state's Administrative Procedure Act and an Illinois law (13-24) transfering governing authority over the East St. Louis Community College from the Illinois Community College Board to an institutional board.

Nineteen bills fell into the mandatory-procedural category. These bills require certain action with regard to institutions but do not substantially affect institutional autonomy. Illustrative is an enacted Nebraska measure (27-2) requiring that election costs for the board of technical-community colleges be borne by the board. Another example is a Maryland bill (20-26) that would have required the addition of two members to the Prince George Community College Board.

Two bills were identified as permissive-erosive. An example is AB 449 enacted in California (5-7). This law allows a community college board to permit citizens to raise issues at a board meeting even though such issues are not on the agenda.

Fourteen different permissive-supportive bills were reported. These allow local institutions to take certain action and enhance institutional autonomy at the same time. Several examples can be provided. A new Florida law (9-14) permits community college boards to appoint and dismiss institutional presidents by removing the Division of Community Colleges of the Department of Education from the decision-making process. An Illinois law (13-30) authorizes community college boards to select sites for capital projects. In Ohio, a proposal (35-19) would have repealed a current law requiring technical college trustees to receive Board of Regents approval before taking certain action.

The final category, permissive-procedural, includes bills that are permissive but have no impact on institutional autonomy. Three legislative items appeared in this category. An example is SB 849 (9-28), which the Florida legislature passed, permitting community college boards to sell any lost or abandoned property found on campus.

Thus, the analysis of the institutionally oriented administrative bills indicates that almost half erode institutional autonomy while only slightly more than a fifth provide for greater institutional autonomy. Certainly this is not a good sign for advocates of local control. It must be noted, however, that the analysis is based on a numerical review alone and does not consider the quality and extent of the change proposed by the various types of bills. Therefore, one cannot say definitively that the thirty-five mandatory-erosive bills will have a greater substantive impact than the fourteen permissive-supportive bills. Nevertheless, the thrust of the analysis indicates that institutional autonomy is being threatened by recent legislative developments.

## Area 3: Physical Facilities

A total of forty-two bills (25 enacted and 17 proposed) were reported in this category. This is a significant increase over last year when only six "physical facilities" bills were received. At least some of this increase is a product of legislatures' concerns with energy use and conservation. As the energy crisis becomes more acute, it is possible that even more activity will occur in this field.

The "physical facilities" bills are divided into three subject categories: building codes, construction procedures, and facility regulations. This is slightly different from the 1976 study when only two categories were used—"building codes" and "land acquisition." The latter category was dropped this year because no relative bills were reported. This, of course, is a reflection of postsecondary education's declining growth rate.

### Building Codes

Four states reported nine bills (4 enacted and 5 proposed) in this category. Several bills deal with such matters as window (9-42), fire alarm (9-38), sprinkler (9-37), and lighting standards for public buildings (9-20). Three bills address energy matters. Two of these, an enacted Florida measure (9-19) and a Georgia proposal (10-14), address the issue of thermal efficiency standards. The third energy bill is particularly interesting. Enacted in California (5-34), it requires every new state building to have a solar water heating system unless exempted by the State Architect.

### Construction Procedures

Twenty-four "construction procedures" bills (17 enacted and 7 proposed) were reported. These legislative items address a variety of construction issues. For example, several North Carolina enactments (33-10, 33-12, 33-13) and a Florida enactment (9-12) and proposal (9-47) regulate construction bids; a California law (5-35) permits community colleges to undertake construction projects up to $20,000 without the chancellor's approval; and a North Carolina law (33-11) permits changes in building design after construction has begun.

Five states reported bills providing for greater state-level control over construction projects. Illustrative are a Florida enactment (9-11) containing a clause requiring community colleges to clear building decisions through the Office of Educational Facilities and an Arkansas law (4-1) requiring legislative approval for most postsecondary construction projects.

Four energy related bills were also reported here. All four bills—from Arizona (3-2), Maryland (20-36), New York (32-26), and California (5-34)—provide for the development of guidelines, regulations, and evaluation procedures to ensure that new state buildings are equipped with the best energy use systems available. The Arizona and California measures passed while the Maryland and New York ones did not.

### Facility Regulations

Nine bills (4 enacted and 5 proposed) outline facility regulations. Good examples are a bill introduced in New York (32-17) that would have made state buildings available for community use, and two enacted measures—one in Florida (9-13) and the other in North Carolina (33-2)—that provide for preferential treatment for the handicapped and car-poolers when state parking spaces are assigned. In addition, bills calling for the development of comprehensive energy plans for all public buildings were enacted in Illinois (13-17) and proposed in the Ohio legislature (35-20, 35-21).

## Area 4: Institutional Growth

Only twelve (5 enacted and 7 proposed) of the 578 legislative items reported affect institutional growth. This was the fewest number of bills reported in any of the seven major legislative areas. Clearly this indicates that state legislatures are not faced with expanding postsecondary education. This finding is consistent with the relatively small amount of activity reported in this category in the past two studies in this series.

### New Institutions

Four states—Connecticut, Illinois, Michigan, and California—reported bills classified in this category. The Connecticut legislature appropriated $600,000 for a new institution, the Greater New Haven State Technical College (7-4). The bills reported by Illinois and Michigan would have provided for the incorporation of all state territory into community college districts. The Illinois bill (13-56) would have required statewide incorporation by January 1, 1978, but was vetoed by the governor. Although no new institutions would have been created, this bill would have extended community college access. The statewide incorporation bill introduced in Michigan (22-2) would have established five new contractual community college districts and one new district without restrictions. The bill reported by California (5-62) is quite interesting. It was intended to establish J. J. Bonaroo College, a community college which would have offered educational programs to state prison inmates. However, the governor vetoed this bill.

### Institutional Expansion

Four bills (2 enacted and 2 proposed) appear in this category. Good examples are laws enacted in New Mexico and North Carolina. The New Mexico law (31-2) merges a branch campus of the University of New Mexico and the Northern New Mexico State Vocational-Technical School to form a comprehensive community college. The North Carolina law (33-23) changes the Tri-County Technical Institute into a comprehensive community college.

## Name Changes

Name changes may reflect a recent change in institutional function or confirm a previous functional change. Which of these factors is operating is not known, but two states reported bills that would change institutional names. A law enacted in Ohio (35-10) changes the name of the state general and technical colleges to "state community colleges." A similar Mississippi bill (24-18) failed. It would have changed the name of Northeast Mississippi Junior College to Community College.

## Restrictions on Growth

Only two bills overtly restricting institutional growth were reported. A bill passed by the West Virginia legislature but vetoed by the governor (48-7) would have prevented the Board of Regents from establishing any new postsecondary institution without authorization from the legislature. A California enactment (5-8) prohibits approval of any new or reorganized community college district if it would have less than 3000 ADA credited annually three years after approval.

## Area 5: Personnel

A total of 141 legislative items (66 enacted and 75 proposed) related to personnel matters were reported. Importantly, the total number of personnel bills reported this year represents a dramatic increase over the number reported during the 1973-75 period (36) and in 1976 (43). None of the four subject categories under personnel—employee benefits, employee rights and regulations, collective bargaining, and faculty workload—received a disproportionate share of the increase, although the number of bills affecting faculty workload only slightly increased. Legislative action in each of the four subject categories is reviewed below.

## Employee Benefits

Seventy-three bills (41 enacted and 32 proposed) deal with personnel benefits. Several different types can be identified, the major one being legislation affecting retirement programs (40). Such legislation increased employer retirement contributions, made technical changes in retirement programs, expanded the kinds of employees covered by retirement plans, increased retirement benefits, reorganized retirement program boards, and appropriated retirement funds. Measures reported by Florida (9-51) and Washington (47-6) are particularly interesting. Both were designed to prohibit manadatory retirement of some faculty at age seventy. The Florida bill was vetoed by the governor but the Washington measure was enacted.

Several reported bills deal primarily with unemployment compensation regulations. A Maryland measure (20-11) enacted and proposals introduced in California (5-51), Illinois (13-57), and Ohio (35-25) are designed to conform state provisions to the 1976 federal unemployment compensation law. Generally, the intent is to extend unemployment compensation coverage to state employees, including postsecondary education personnel. Two states, Iowa (15-1) and Maryland (20-51), reported bills that deny unemployment compensation to educational personnel during scheduled term breaks and vacation periods. The Maryland bill did not pass but the Iowa measure did.

Another type of legislative action affecting employee benefits is that providing for fringe benefits. Most of these bills pertain to such matters as health insurance, sick and annual leave, leaves of absence, and personal holidays. Particularly noteworthy is a bill that would have affected part-time employees of postsecondary institutions. Introduced in Maryland (20-32), it would have extended all personnel benefits to part-time employees on a pro rata basis.

Finally, six states reported legislation providing for salary increases. Those states were Minnesota (23-4), Mississippi (24-9, 24-10), North Carolina (33-27) (33-29), Tennessee (42-6), Virginia (46-15), and Washington (47-4). As would be expected, the percentage increase varied from state to state. For example, the North Carolina law provides for 6.5 percent increases in each of the next two years; the Washington measure, a 10 percent increase in 1977 and a 5 percent in 1978; and the Minnesota legislation a 7.91 percent increase this year and 8.24 percent increase next year. The Tennessee measure provides $450,000 for salary adjustments for community college instructional personnel in addition to the general 7 percent salary increase.

## Employee Rights and Regulations

Forty-two bills (18 enacted and 24 proposed) in the personnel area affect employee rights and regulations. These bills can be further subdivided into those that primarily address what employers can do with regard to personnel and those that focus on the employees' role.

Ten of the forty-two bills focus on regulating employers. For example, four bills pertain to discrimination in employment. A measure enacted in California (5-23) directs state agencies to develop plans for hiring the disabled to correct their underrepresentation in the state work force. An Arizona bill (3-13) would have permitted the Civil Rights Division of the Department of Law to investigate hiring discrimination at the state universities and community colleges. Similarly, Executive Order Number Forty-Three (8-4) in Delaware created an Affirmative Action Task Force to study the progress and effects of affirmative action in state agencies. An Illinois proposal (13-43) would have prohibited discrimination on the basis of sexual orientation, although an enacted measure (13-3) permits community colleges to establish residency requirements for employment. Other legislative action in this category includes a California law (5-3) and an Ohio law (35-7) requiring the filing of affirmative action reports. Finally, two Illinois bills (13-61, 13-62) would have required hearings and motions by a majority of the board before a community college could dismiss an employee.

Most of the bills in this subject category focused specifically on the rights and regulation of employees. Examples of legislation regulating employee behavior are a Florida proposal (9-34) that would have deprived a public employee of all benefits if found guilty of a felony involving breach of public trust, a North Carolina law (33-14) that provides penalties for public employees who improperly spend funds, and a bill introduced in Georgia (10-21) that would have prohibited any state employee from coercing another to contribute money or time for political purposes.

Illustrative of legislation providing employees with certain rights are the following. A law enacted in Tennessee (42-3) increases from one to two the number of courses a full-time faculty member may teach on a part-time basis. A proposal considered in Ohio (35-11) would have permitted classified employees to appeal suspensions. A bill vetoed by Florida's governor (9-53) would have provided legal assistance to public employees sued in federal court for action taken while on the job. In West Virginia, the passage of a new law (48-3) permits higher education professional employees to retain their rank and tenure status for up to four years while on leave to serve in a nonelected governmental position.

## Collective Bargaining

Twenty-two pieces of collective bargaining legislation (5 enacted and 17 proposed) were reported this year. This is a significant increase over 1976 when only six such bills were received. Sixteen bills from seven different states were concerned with establishing collective bargaining rights, but only two became law. They were a Maryland enactment (20-9) allowing noncertified personnel at Baltimore County Community College to organize and a California law (5-43) extending collective bargaining rights to all state employees. Bills extending collective bargaining rights to additional employees, including community college and/or all postsecondary employees, failed in Arizona (3-12), Illinois (13-40), Maryland (20-39, 20-41), Virginia (46-19), and Washington (47-18). Also noteworthy is a Maryland bill (20-45) that would have extended the Collective Bargaining Task Force for another year and a Florida proposal (9-49) that would have rescinded public employees' right to bargain collectively.

Five states reported legislation designed to amend current collective bargaining laws. Good examples of this are a California proposal (5-81) and a

New York enactment (32-10) intended to make the concept of an agency shop a negotiable item and an Iowa law (15-4) that replaces the double ballot system for collective bargaining elections with a single ballot.

## Faculty Workload

Four legislative items (2 enacted and 2 proposed) were reported in this category. Only one, however, directly addressed faculty workloads. This was a provision in the Washington appropriations measure (47-12) that would have required faculty to average nineteen contact hours per week if it had not been vetoed by the governor. Two other bills were indirectly concerned with faculty workloads. One, a Georgia proposal (10-16), would have requested the Board of Regents to adopt regulations requiring faculty members to report any outside services they perform for which they receive consulting fees or other compensation. The other measure (46-7), which was enacted, provides for a study of part-time work performed by Virginia postsecondary education faculty.

## Area 6: Students

Ninety-six bills (61 enacted and 35 proposed) affecting students were reported this year. Student legislation is classified into three categories: rights and responsibilities, tuition and fees, and student aid. Legislation in each of these categories is reviewed below.

## Rights and Responsibilities

Eighteen of the bills affecting students address student rights and responsibilities. Some of the bills in this category were previously mentioned. For example, it was noted that nine states reported legislation appointing students to governing boards, changing students' roles in governing board activities, or establighing qualifications for student board members. These were Alaska, California, Illinois, Maryland, Massachusetts, New York, North Carolina, Virginia, and West Virginia. Also discussed were laws enacted in California and Florida providing students with access to their educational records.

Although all of the other bills reported concerning students' rights cannot be discussed here because of the idiosyncratic nature of their content, three are particularly noteworthy. First, an enacted Florida measure (9-31) amended the collective bargaining law by permitting a community college student government and the council of student body presidents to select representatives to participate on a nonvoting basis in all relevant collective bargaining sessions. Second, a new Pennsylvania State Board regulation (38-2) requires community colleges to refund tuition payments to students in the event that an academic term is declared null and void. Third, a measure enacted in New York (32-8) requires all public postsecondary institutions to publish a statement in their catalogs noting that equivalent classes and/or exams will be provided for students who are absent due to a religious holy day.

## Tuition and Fees

Thirty-three legislative actions (23 enacted and 10 proposed) were reported in this category. Several different types of tuition and fee bills are identifiable. One is legislation that provides tuition waivers, fee deferments, or fee reductions for specified groups. For example, nine states—Florida (9-52), Massachusetts (21-3), Michigan (22-1), New Mexico (31-9), New York (32-19), North Carolina (33-8), Tennessee (42-2), Utah (44-4), and Virginia (46-1)—reported measures that would provide tuition waivers for senior citizens. Six of the nine states enacted the legislation. Two states, Florida (9-16) and Tennessee (42-1), passed bills permitting veterans to defer tuition and fee payments. Massachusetts reported a new law (21-4) that will reduce tuition and fees for national guardsmen at public institutions by 50 percent. Maryland reported a proposal (20-13) that would have reduced tuition for veterans by 25 percent.

A second type of legislation in this category affects the amount of tuition and fees. Importantly, four states—Idaho (12-3), North Carolina (33-33), Utah (44-2), and Washington (47-9)—passed measures that increase tuition at community colleges. Also noteworthy here are legislative items reported by Maryland and Louisiana. The Maryland law (20-6) permits local boards to set student fees and charges higher than those provided for in the state funding formula, while the Louisiana proposal (18-7) would have charged students at all public institutions of higher education a $10 fee for their use of the public school system buses.

Finally, several states reported legislation affecting residency requirements. Illustrative are North Carolina (33-16) and Washington (47-8) laws that classify Southeast Asian refugees as state residents for tuition purposes; an Illinois bill (13-41) and a Virginia enactment (46-2) that clarify residency requirements; and an Arizona law (3-6) that classifies an alien as an in-state refugee student if he has been granted parole refugee status. Particularly interesting is a recently enacted Ohio measure (35-8) authorizing the Board of Regents to enter into reciprocal agreements with neighboring states to permit out-of-state students to pay in-state tuition.

## Student Aid

The largest number of bills affecting students was reported in this category. Forty-five such bills (27 enacted and 18 proposed) were received. Included in this category are bills that affect statewide aid programs, establish state loan programs, increase student aid, and provide scholarship funds for specific groups of students.

Several of the bills reported address state-level student aid concerns. For example, new Student Financial Aid Commissions were created in Connecticut (7-2) and Florida (9-29). The main responsibility of both new commissions is to coordinate all student financial aid in the state. Six states reported legislation affecting student loan programs. Illustrative are a Tennessee law (42-5) that establishes a new state student loan program and an Ohio enactment (35-1) that increases the student loan guarantee to 100 percent. Also noteworthy is the Maryland bill (20-17) that would have established a new financial assistance program to replace the numerous programs now in existence and the California proposal (5-49) that would have required the development of pilot programs to enhance the ability of low-income high school and community college students to continue their studies.

A large number of the student aid bills provide aid for certain types of students. For example, five states—Maryland (20-12), Mississippi (24-23), Ohio (35-14), Virginia (46-2), and West Virginia (48-5)—reported bills designed to extend or increase aid to members of the National Guard. Two of the five states passed the legislation. In Georgia (10-13), Illinois (13-51), Maryland (20-10), Mississippi (24-20), and Ohio (35-31), bills were introduced that would have provided aid for students attending private institutions but only the Maryland measure was enacted. Three proposals, two in Illinois (13-51, 13-68) and one in California (5-56), were designed to make students attending community colleges eligible for certain types of financial aid, but did not pass. Finally, the Minnesota legislature enacted a measure (23-2) establishing a grant-in-aid program for part-time students.

## Area 7: Academic Programs

Sixty pieces of legislation (30 enacted and 30 proposed) were reported that affect academic programs. This is a striking increase over 1976, representing more than twice the number reported last year (twenty-eight). Bills affecting academic programs are divided into two subject categories: (1) curriculum, and (2) accreditation and certification. Examples of legislative measures falling in both categories are provided below.

### Curriculum

Forty-six bills (26 enacted and 20 proposed) affect postsecondary education curriculum matters. Only five of these were restrictive in nature. Maryland reported a directly restrictive bill (20-37) that if passed, would have required all higher educational institutions to offer courses in medieval and modern history. Four indirectly restrictive measures were reported previously. Their intent is to require state-level boards to institute statewide program reviews to identify duplicative efforts, ensure quality, and/or approve or disapprove new programs. Arkansas (4-6), Connecticut (7-3), Massachusetts (21-5) and North Carolina (33-44) reported these bills, with only the North Carolina and Massachusetts measures failing to receive approval.

Many of the other bills in this category call for the establishment of new types of programs. All of them cannot be reviewed, but a few examples provide an indication of the wide variety of new programs being proposed by state legislatures. Three California bills are particularly interesting. One proposal (5-52) passed by the legislature but vetoed by the governor would have permitted community colleges to develop programs to utilize the services of senior citizens. An enacted measure (5-19) creates the Community College Fund for Instructional Improvement. Monies from this fund are awarded to faculty, students, and administrators who submit proposals for innovative instructional programs. Another proposal (5-59) would have established a pilot bilingual-bicultural nursing program at a community college. Bills considered by the Ohio (35-27) and Washington (47-16) legislatures would have encouraged the development of programs for displaced homemakers. New Mexico House Memorial 37 (31-7) ultimately failed, but would have directed the Department of Education and the Board of Educational Finance to study comprehensively community education activity in the state. Finally, a California proposal (5-67) vetoed by the governor would have required the California Postsecondary Education Commission to provide consumer information on postsecondary educational opportunities to nontraditional students.

## Certification and Accreditation

Fourteen bills (4 enacted and 10 proposed) were related to accreditation and certification. Eight of these dealt with certification requirements. A variety of programs were addressed, including those for real estate brokers (9-22), psychiatric technicians (5-14), practical nurses (10-11), podiatrists (20-23), and hearing aid dealers (20-22). However, only the first two were enacted. Particularly disturbing to community college advocates in Washington was a proposal (47-13) that would have required all social workers to have at least a bachelor's degree. If passed, students currently enrolled in community college social work programs would not have been eligible for jobs they had trained for. Also noteworthy here is a resolution (20-55) introduced in the Maryland legislature that would have requested the State Board for Higher Education to recommend the most effective means for residents to earn college credit for nonacademic learning.

Only six bills were reported relating to accreditation. One is a new Florida law (9-2) establishing minimum standards for schools licensed by the State Board of Independent Postsecondary Vocation, Technical, Trade and Business schools. Also illustrative is an Alaska enactment (2-3) outlining certain accreditation procedures and regulations. Finally, a measure passed by the New Mexico legislature (31-1) requires the Board of Educational Finance to approve all courses offered by nonproprietary out-of-state institutions.

## III

# FEDERAL LEGISLATION AND REGULATIONS: EFFECT ON COMMUNITY AND JUNIOR COLLEGES

Each year as part of this survey of state legislation, state directors of community and junior colleges are asked to respond to a specific related question in addition to providing us with information on state legislation. This provides an opportunity to see how state directors view certain actions and events occurring in their states. This year the query put to state directors called for their observations on two related issues: (1) the impact of federal legislation and regulations on state legislation, and (2) the general impact of federal legislation and regulations on community and junior colleges. The extent and type of federal government involvement in community and junior college affairs is of course an important issue, especially since these institutions are perhaps the most locally oriented of all postsecondary institutions. Thirty-one of the forty-one state directors providing information about state legislation also responded to this part of the survey.

The figures in Table 5 portray graphically the various types of impact federal legislation and regulations are having on community and junior colleges. It is important to note that the question asked state directors was open-ended. Thus the categories listed in Table 5 were derived from the data and not predetermined. The table indicates several interesting facts. First, federal legislation and regulations are having an impact on a wide variety of issues. Second, the federal action affecting the greatest number of states is that dealing with the handicapped and vocational education. Third, Illinois and Washington reported the greatest variety of federal impact of the thirty-one responding states. A review of each of the federal impact categories follows.

## No Impact

That federal actions tend to affect community and junior colleges throughout the land is evident in that only five states reported that federal legislation and regulations are having no noticeable impact on state legislation affecting institutions in their states. These five were Idaho, Indiana, Kentucky, Massachusetts, and Nebraska. It is important to note, however, that these states did not indicate whether federal legislation and regulations were affecting the institutional operations of community and junior colleges.

## Federal Aid and Regulations

Nine states reported that federal aid and regulations are affecting community and junior colleges. Several types of impact were noted by the responding states. The Delaware and Minnesota respondents indicated that institutions in

## TABLE 5

## THE IMPACT OF FEDERAL LEGISLATION AND REGULATIONS ON COMMUNITY AND JUNIOR COLLEGES

| STATES | No Impact | Federal Aid & Regulations | Vocational Education | CETA | Student Aid | Buckley Amendment | Veterans | Handicapped | Desegregation | 1202 Commissions | Miscellaneou | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Alaska | | | | | | | | | | X | | 1 |
| Arizona | | | | | | | | X | | | | 1 |
| Arkansas | | | | | X | | X | X | X | | | 4 |
| California | | X | | | | X | X | X | | | | 4 |
| Connecticut | | X | | | | | | | | | X | 2 |
| Delaware | | X | X | X | X | | X | X | | | | 6 |
| Florida | | X | | | | X | | X | | | | 3 |
| Idaho | X | | | | | | | | | | | 1 |
| Illinois | | X | X | X | X | | | X | | X | X | 7 |
| Indiana | X | | | | | | | | | | | 1 |
| Iowa | | | X | | | | | | | | | 1 |
| Kentucky | X | | | | | | | | | | | 1 |
| Maryland | | X | | | | | X | | | | | 2 |
| Massachusetts | X | | | | | | | | | | | 1 |
| Minnesota | | X | X | | | | | | | | X | 3 |
| Missouri | | | X | | | | | | | X | | 2 |
| Nebraska | X | | | | | | | | | | | 1 |
| New Jersey | | | X | | | | | | | | | 1 |
| New Mexico | | X | | | | | | | | | | 1 |
| New York | | | X | | | | X | X | | | | 3 |
| North Carolina | | | X | | | | | | X | | | 2 |
| Oklahoma | | | X | X | X | | | X | X | | | 5 |
| Pennsylvania | | | | | | | | X | | | | 1 |
| Rhode Island | | | | | | | X | | | | | 1 |
| South Carolina | | | | | | | | X | | | X | 2 |
| Tennessee | | | | | | | | X | | | | 1 |
| Utah | | | X | | | | | | | | | 1 |
| Vermont | | | | | | | | X | | | | 1 |
| Virginia | | | | | | | | | | | X | 1 |
| Washington | | X | X | X | X | X | X | X | | | | 7 |
| Wisconsin | | | X | | | | | | | | | 1 |
| TOTALS | 5 | 9 | 12 | 4 | 5 | 3 | 7 | 13 | 3 | 3 | 5 | |

their states had benefited greatly from a variety of federal funding programs such as Title 1 (Community Services), Title III (Developing Institutions Program), and Title IV (Cooperative Education).

Four states—Delaware, Florida, New Mexico, and Maryland—reported concern with attempts to increase state control over federal funds. In New Mexico, a bill introduced in the state legislature would have established a second state office to oversee all federally related programs. Similarly, the Delaware budget bill created a Clearinghouse Committee for Federal Aid Coordination to review all state applications for federal aid. In Florida, the legislature passed a concurrent resolution directing state agencies submitting plans for federal funds to make sure that the plans conform to state laws. The Maryland respondent indicated that there is some concern in that state about the impact of the Commission on Inter-governmental Relations' recommendation that all federal funds be reappropriated by state legislatures.

In connection with this, it should be noted that four bills reported in the legislation section of this report were aimed at increasing state control over federally related funds and programs. They were a Florida proposal that would have prohibited the expenditure of federal funds unless such funds had been appropriated by the legislature; an Illinois bill vetoed by the governor that would have required the reappropriation of federal funds; a Georgia proposal that would have directed state agencies to receive legislative approval before spending state funds on federal programs; and a New York bill that would have required a state control board to review federal fund applications.

Connecticut and Washington respondents noted the impact of federal regulations on reporting requirements. In Connecticut, the new state board is required to maintain a higher education information system and received $100,000 for this purpose. Importantly, the Connecticut respondent noted, "While the system will serve many purposes, it is clear that the single most important impetus to its development has been the expanding reporting requirements imposed on institutions in recent years by the federal government." Similarly, the Washington respondent indicated that federal aid reporting requirements are demanding an increasing amount of time and funds.

## Vocational Education

Twelve states reported that federal vocational education legislation and regulations are having an impact on community and junior colleges. The number of states reporting federal impact in this area was second only to the number noting the impact of handicapped regulations. The twelve states involved were Delaware, Illinois, Iowa, Minnesota, Missouri, New Jersey, New York, North Carolina, Oklahoma, Utah, Washington, and Wisconsin. Most of the states reported that much of the impact was taking the form of changes in the budgetary process, the amount of funding, administration of programs, size and composition of advisory committees, and the amount of authority state vocational education boards may delegate. These changes all resulted from the Vocational Education Amendments of 1976.

Particularly noteworthy, however, are the responses from New Jersey, New York, and Washington. New Jersey reported that as a result of the 1976 federal amendments the Department of Higher Education is now represented on the state advisory committee responsible for developing the five-year and annual plans for vocational education. One product of this representation is that New Jersey's community colleges now have greater access to vocational education funds for the disadvantaged and handicapped. The New York respondent indicated that some changes mandated by the Vocational Education Amendments are causing difficulties. For example, some current programs are threatened by funding cutbacks; the required increase in program improvement funds will take more funds from grant allocations; and administrative needs are much greater due to the requirement that student placement records must be kept. Finally, in Washington, there is concern that vocational educators' managerial flexibility is being reduced, that the new planning requirements community colleges must meet are too time consuming, and that the extensive evaluation requirements recently imposed are too costly. As the Washington respondent noted, "Vocational educators are beginning to ask, considering the fact that federal funds provide no more than five percent of the total appropriation for vocational education in the community college system, is it worth the trouble?"

## Comprehensive Education and Training Act (CETA)

Three states reported that this act is having an impact on community and junior colleges. Illinois and Oklahoma both noted that institutions in their states are receiving funds from this program. Washington reported that community college services are not adequately utilized under the provisions of this act because it does not include any directive for sponsors to coordinate programs with postsecondary institutions.

## Student Aid

Arkansas, Illinois, Oklahoma, and Washington respondents noted the impact of federal student aid. Illinois and Oklahoma mentioned that community college students are receiving federal aid. A Student Incentive Grant Program was established in Arkansas as a result of federal provisions, and the 1977 student financial aid measure adopted by the Washington legislature ties state student aid appropriations to the Basic Education Opportunity Grants program.

## Privacy of Information

Public law #93380 of the Education Amendments of 1974, commonly known as the "Buckley Amendment," assures students access to their education and personal records. California, Florida, and Washington reported that legislation affecting student records has passed as a result of this federal legislation. Also noted by the Washington respondent was the fact that such legislation increases the administrative burden on community colleges. This takes the form of additional record keeping requirements and, consequently, increased clerical costs.

## Veterans

Seven states reported that federal legislation and regulations related to veterans were having an important impact on community and junior colleges in their states. These states were Arkansas, California, Delaware, Maryland, New York, Rhode Island, and Washington. The impact of regulations pertaining to veterans has taken two different forms, according to the responding states. First, several respondents noted that the massive reporting and record keeping requirements demanded by the Veterans Administration are extremely burdensome in terms of costs and time. But community and junior colleges cannot avoid meeting these requirements because the Veterans Administration can require institutions to pay back funds awarded to noneligible veterans if they are partially responsible for the error. Particularly interesting in relation to this is action taken by the California state legislature. A resolution passed by the legislature requests the President and Congress to provide relief from $2 million in liabilities assessed against California community colleges by the Veterans Administration (VA).

Second, several states reported difficulties with the VA's attempts to interfere with the programs and educational standards of postsecondary institutions. For example, Arkansas, Delaware, and Washington noted that institutions with nonpunitive or other nontraditional grading systems were having difficulties because the Veterans Administration refused to award benefits to veterans attending such institutions. The Maryland respondent indicated that community and junior college were experiencing problems with the 85-15 and two-year rules. The 85-15 rule prohibits payments to veterans enrolled in a program where over 85 percent of the students are receiving some form of financial aid, and the two-year rule prohibits aid to veterans enrolled in a program that has not been operational for at least two years. Finally, the VA's reluctance to recognize the legitimacy of educational experiences occurring in nontraditional settings was identified as a problem by the New York respondent. It must be noted, however, that between the time of the survey and this reporting of its results, the Veterans Administration changed policies in several of these troublesome areas; specifically, the 85-15 and the two-year rules have been relaxed.

## Handicapped Access

Thirteen states reported that new federal regulations providing for equal accesss for the handicapped are having a significant impact. This represents the largest number of responses in any of the eleven categories. States reporting this impact were Arizona, Arkansas, California, Delaware, Florida, Illinois, New York, Oklahoma, Pennsylvania, South Carolina, Tennessee, Vermont, and Washington. The major concern here, of course, is that these regulations will require massive financial outlays to renovate physical facilities, hire new staff, and purchase specialized equipment. During the current period of financial stringency, many fear that this new financial burden may result in reduced funds for other programs.

### Desegregation

Arkansas, North Carolina, and Oklahoma reported that federal laws, court decisions, and Department of Health, Education, and Welfare regulations requiring desegregation of postsecondary institutions are having an impact. All three states report that they are taking steps to comply with the desegregation guidelines, although there have been some increased financial costs as a result.

### State Postsecondary Education Planning ("1202") Commissions

Alaska, Missouri, and Illinois reported the establishment of state postsecondary education planning commissions as a result of Section 1202 of the 1974 federal higher education legislation. In Missouri, the commission has been involved primarily in master planning, but it is expected to expand its activity to program reviews and the articulation of proprietary and vocational school programs with those at two- and four-year institutions. The Illinois Board of Higher Education, which serves as the 1202 Commission, has taken several actions relative to community colleges. For example, it developed a statewide master plan; instituted a requirement that each institution submit an annual "Resource and Management Plan;" and established a commission to study community college financing, which resulted in a new, controversial funding formula.

### Miscellaneous

Five states reported various types of federal impact that could not be classified in any of the other categories. One illustration is the response from Virginia, noting that some legislation has been introduced that is a product of issues being discussed in other states and at the federal level. Examples are bills providing for zero-based budgeting, sunset legislation, program budgeting, and management by objectives.

## Conclusions

It is clear from the responses of state directors that federal legislation and regulations are having a widespread, substantial, and varied impact on community and junior colleges. Some of the impact is viewed as positive. This is the case with most of those federal programs supplying funds to community and junior colleges. State directors also indicated, however, that federal involvement sometimes has a negative impact. This is evident in their concern about regulations requiring additional financial outlays, perceived attempts to interfere with educational standards, and demands imposed by extensive reporting and record keeping requirements. From a field perspective, federal actions affecting community and junior college matters directly or indirectly appear to be a "mixed blessing" but nevertheless a growing force with which institutions and states will need to reckon.

# IV

# SUMMARY AND CONCLUSIONS

The primary purpose of this annual review of state legislation affecting community and junior colleges is to provide better information exchange among state offices about topics that draw the attention of public decision makers at the highest levels of public policy formulation—the legislatures and governors of the states. To do this, it must first display the extent and nature of state legislative activity as it is happening not only in particular states but throughout the country. Individuals concerned with community and junior college affairs are often acquainted with the legislative activity in their own state but are not as familiar with action taken in other states. Although some particular legislative actions may remain unidentified, the mass and level of coverage of state legislative items herein discussed suggest that most, if not all, relevant trends are exposed. Forty-one of the fifty-one state directors did, in fact, finally respond to the request for information. This number amply assures confidence that the country is well depicted and therefore makes possible the advancement of reasonable conclusions about the effect of state legislative activity on community and junior colleges in the nation as a whole. Attention now turns to these conclusions and to related questions of their significance to community and junior colleges.

The first conclusion is that state legislative attention to matters touching meaningfully on community colleges remains high and appears to be growing. States reported more legislative activity in 1977 than in either of the two previous periods reviewed in this continuing annual survey—578 pieces of legislation were received this year. In contrast, for the three-year period 1973-75, 394 bills were reported, and in 1976, 287 bills were reported. What caused this dramatic increase in the amount of legislative activity is beyond the scope of this study but does pose a question of interest to state directors as well as to community college workers generally. Some have suggested that the recent "professionalization" of state legislatures, which has resulted in larger and better staffs, annual legislative sessions, and year-round meetings, has led to an increased amount of legislation affecting all areas of state government. There may very well be other reasons. But whatever the case, it is clear that state legislatures were more active in 1977 than in the immediately preceding years.

More important than the amount of state legislation is the effect it is having on community and junior colleges. The figures in Tables 6 and 7 concisely portray the areas and subjects being addressed by state legislation. It should be noted that administration and finance are the major areas receiving the most attention, and the financial procedures and employee benefits are the subject categories most often affected. Also noteworthy is that most of the legislation affecting community and junior colleges reported in Tables 2 and 3 was not directed *specifically* at these institutions. In fact, more than twice as many

## TABLE 6

## REVIEW OF LEGISLATION BY SEVEN MAJOR AREAS

| Major Areas | Legislation Enacted | Legislation Proposed | Total |
|---|---|---|---|
| Finance | 134 | 50 | 184 |
| Administration | 107 | 87 | 194 |
| Physical Facilities | 25 | 17 | 42 |
| Institutional Growth | 5 | 7 | 12 |
| Personnel | 66 | 75 | 141 |
| Students | 61 | 35 | 96 |
| Academic Programs | 30 | 30 | 60 |
| TOTALS | 428 | 301 | 729 |

## TABLE 7

## REVIEW OF LEGISLATION BY 25 SUBJECT CATEGORIES

| Subject Categories | Legislation Enacted | Legislation Proposed | Total |
|---|---|---|---|
| Appropriations | 47 | 8 | 55 |
| Capital Funds | 24 | 7 | 31 |
| Financial Procedures | 63 | 35 | 98 |
| Governing Bodies | 17 | 20 | 37 |
| Process of Policy Formation | 16 | 15 | 31 |
| Administrative Operations | 33 | 30 | 63 |
| Coordination | 16 | 10 | 26 |
| Studies and Surveys | 18 | 6 | 24 |
| Enabling Legislation | 7 | 6 | 13 |
| Building Codes | 4 | 5 | 9 |
| Construction Procedures | 17 | 7 | 24 |
| Facility Regulations | 4 | 5 | 9 |
| New Institutions | 1 | 3 | 4 |
| Institutional Expansion | 2 | 2 | 4 |
| Name Changes | 1 | 1 | 2 |
| Restrictions on Growth | 1 | 1 | 2 |
| Employee Benefits | 41 | 32 | 73 |
| Employee Rights | 18 | 24 | 42 |
| Collective Bargaining | 5 | 17 | 22 |
| Faculty Workload | 2 | 2 | 4 |
| Student Rights and Responsibilities | 11 | 7 | 18 |
| Tuition and Fees | 23 | 10 | 33 |
| Student Aid | 27 | 18 | 45 |
| Curriculum | 26 | 20 | 46 |
| Accreditation and Certification | 4 | 10 | 14 |
| TOTALS | 428 | 301 | 729 |

legislative items were aimed at postsecondary education in general as opposed to community and junior colleges in particular (426 pieces vs. 208 pieces). This seems to have two important implications for community college advocates. Not only must they monitor all postsecondary education legislation to determine its affects on their institutions, but they must also determine the affects of any legislation they propose on other higher education segments, as well as consider the possibility of gaining other segments' support when developing new legislative proposals. The interconnectedness of the entire postsecondary educational system simply cannot be ignored.

A second conclusion from the legislation reported in 1977 confirms what many have known for some time; that is, legislatures no longer see a continued expansion of postsecondary education, and their actions reflect this perception. One indication of this is the slowdown in institutional growth. Only twelve bills were reported in this area this year, the smallest number reported in any of the seven areas. As reported in Section II, some legislatures are even taking steps to prevent the addition of new campuses and the expansion of programs without specific legislative approval. It is true that appropriations are increasing in absolute dollars and that the average percentage growth was slightly higher this year than last (13.5 percent as compared to 12.2 percent). Still, the growth rate in funding for these institutions is no where near what it was several years ago.

This slowdown in the expansion of postsecondary education is in part a reflection of state legislatures' attempts to hold the line on state funding during the economic recession of the last several years. Importantly, legislatures' concerns with controlling the amount of funds going to postsecondary education have taken more forms than the ones noted above. Several are noteworthy. First, several states reported legislation creating or reorganizing state-level boards that will provide for better planning and coordination in postsecondary education. Usually, these boards' responsibilities included reviewing and/or preparing postsecondary budgetary proposals. The intent, of course, is to ensure that state funds are used efficiently and effectively. Second, several bills were reported that alter the impact of federal funds. Some of these provide for greater state-level control over federal funds by requiring their reappropriation and/or review and coordination by state-level boards. Others are designed to reduce the amount of state aid required by subtracting nonstate revenues, including federal funds, from state appropriations. Third, three states took steps to eliminate or reduce state funding for community service programs. Finally, several states enacted bills requiring community colleges to return some of their appropriations if they fail to meet projected enrollments.

A third major conclusion is that state legislatures are imposing some types of financial restrictions on community and junior colleges while at the same time taking steps to expand student access to programs and services in postsecondary education. This is reflected by two types of legislative actions. First, a number of the reported bills increase student aid in the form of scholarships and loans.

Second, several bills provide for new programs to serve nontraditional student clientele, such as the handicapped and the disadvantaged. Ironically, several states reported tuition increases at the same time. It is apparent that community and junior colleges may be caught between a less advantageous financial situation on the one hand and a requirement to serve more and a greater variety of students on the other.

The fourth conclusion is that legislatures are not only taking action with regard to financing but, importantly, are also acting to increase outside control over community and junior college affairs. In particular, the trend toward state-level control, noted by the senior author of this report and other community college commentators, seems to be continuing.[1] Certainly the more active role that statewide coordinating and planning boards are being asked to play by state legislatures is important here. Significantly, legislatures are attempting to extend their own influence, too. Examples of this are those bills requiring legislative approval of new campuses and administrative procedures, as well as the demand in some states that institutions provide detailed expenditure reports.

A fifth conclusion, related to the one just mentioned, is a rather ominous one, at least as seen from the value attached to institutional autonomy. It stems from the analyses of the reported action related to financial procedures and administrative practices. Constraints are on the increase! It should be recalled that the analysis of the financial procedures bills indicated that more often than not the intent was to increase state-level control rather than provide for more institutional flexibility. With regard to the administrative bills, almost half would erode institutional autonomy while only about a fifth would support it. Whether community and junior colleges can continue to meet their multiple goals under these circumstances (especially those related to providing a quick, relevant, and highly flexible response to the needs of local communities) could be an extremely important issue.

Sixth is a conclusion relating to the one just made but reflecting a different causative condition; namely, the impact of the energy crisis and related disjunctures in the general economy of the nation. The number of states reporting legislation addressing the need for and the means of postsecondary educational institutions' adjustment to a new set of general economic circumstances and simultaneously to such specific pressures as energy conservation is not yet large. But the fact that they appeared this year for the first time is worth noting and watching in the next annual survey and in the more distant future.

The seventh conclusion is that some legislative actions are affecting the internal, institutional decision-making environment of community and junior colleges. This is reflected in the fact that much legislation was designed to alter and/or strengthen the rights and roles of academic personnel and those of community and junior college students. For example, much more collective bargaining activity was reported this year than last. In addition, some states reported bills providing for due process procedures, eliminating mandatory retirement, extending benefits and rights to part-time employees, etc. With regard to students, bills appointing them to governing boards, providing for access to records, ensuring tuition refunds, and allowing them to participate in collective bargaining negotiations were reported. Such legislative actions clearly indicate that the institutional decision-making process is becoming more complex. Not only are more interest groups gaining a direct voice in institutional decisions, but a greater variety of factors must be considered before action can be taken.

The eighth, and final, conclusion drawn from this 1977 survey is perhaps the most important of all, for it suggests an intensification of action which moves the locus at which basic academic policy is made further away from the colleges and even state-level agencies responsible for them and into the general framework of public policy formulation. The conclusion is clear that legislatures are dealing increasingly with more than the question of fiscal support levels at which community and junior colleges operate and moving strikingly into matters touching on general academic policy. Witness the increases in legislative actions affecting academic programs and program coordination, as well as those just mentioned in the previous conclusion concerning the rights and roles of academic personnel and students. Certainly it is clear that legislatures are not hesitating to involve themselves in matters that many have long considered the sole responsibility of institutional faculty and administrators.

It is not likely that the issues addressed by state legislatures in 1977 will disappear. Financing is a problem that probably will continue. Also pressures for more state-level control most likely will increase rather than decrease, and the influence of personnel and students on institutional decision making will not decline. What is happening, as reflected by state legislation, is that the environment in which community and junior colleges operate is changing. As a consequence, community and junior college leaders will be challenged to develop new and imaginative ways to meet the needs these institutions were established to serve. Indeed, a review of the contents of this report and the implications seen in it should be put on the agenda for action not only by the National Council of State Directors of Community and Junior Colleges, but also by the American Association of Community and Junior Colleges, its member institutions, and affiliated councils.

# APPENDIX A

## ANNOTATIONS OF STATE LEGISLATION RELATING TO POSTSECONDARY EDUCATION

### 1977 State Legislative Sessions

### Arrangement

The items of legislation listed here include both those enacted and those proposed. Within each group the order of items is numerical. Chapter or act numbers are by Senate Bill and House Bill numbers, depending on the information provided by the respondents.

### ALABAMA (1)

#### Legislation Enacted

1-1 Appropriation Provides $33,050,000 for community and junior colleges for 1977-78.

### ALASKA (2)

#### Legislation Enacted

2-1 Student Board Member (Chapter 13) Reenacts law requiring that one member of the Board of Regents be a student and requires the student regent to be a full-time student at one of the campuses of the University of Alaska.

2-2 Administrative Procedures (Chapter 48) Makes various administrative changes relating to the University of Alaska including the creation of a university comptroller's office, delegation of authority for certain functions by the Commission of Administration to the Board of Regents, inclusion of the university under the term "state agency", and authorization to the Department of Administration to make advances to the university against verified receivables from non-state sources but limiting the advances to 80% of the verified receivables.

2-3 Institutional and Agent Approval (Chapter 50) Outlines certain regulations pertaining to higher educational institutions including a requirement that each postsecondary institution desiring to operate in the state apply to the Commission, a requirement that educational institution agents apply to the Commission, a requirement that the agent's application be accompanied by a surety bond, and an outline of certain accreditation procedures and regulations.

### ARIZONA (3)

#### Legislation Enacted

3-1 District Formation (H.B. 2057) (Chapter 162) Repeals obsolete provisions relating to a junior college in high school or union high school district; also changes the minimum assessed valuation necessary to form a community college district from $60 million to $120 million.

3-2 Energy Conservation (H.B. 2069) (Chapter 31) Requires the Department of Administration to adopt and publish energy conservation standards for construction of all new state buildings.

3-3 Board Membership (H.B. 2159) (Chapter 164) Prohibits community college employees and their spouses from being district board members in the district in which they are employed.

3-4 Budgetary Procedures (S.B. 1102) (Chapter 152) Provides for new budgetary procedures to be followed by community college districts. Changes include: Submission of proposed budget to State Board by July 10; notification of the public by second Monday in August of a public meeting to discuss the proposed district budget; publication of proposed budget and announcement of meeting not later than 15 days prior to the meeting; inclusion of eight specific items in the proposed budget document basically dealing with the comparison of the proposed budget and the previous year's budget and specifically detailing any needed increase in the tax levy; publication in a local newspaper of a second notice of the public meeting not later than five days prior to the meeting; submission to

State Board of a publisher's affadavit of publication; levying of a tax not in excess of the previous year's tax if the district fails to publish the proposed budget; presentation of the proposed budget at the public hearing; budget adoption to immediately follow public hearing; permitting deductions from proposed budget but not additions; any motion to increase tax levy must be prefaced by the eight previously noted items dealing with a comparison of the proposed and previous year's budget; failure of motion means previous year's tax levy will be used again.

3-5 Per Diem (S.B. 1110) (Chapter 128) Increases out-of-state per diem from $40 to $75/day if receipts are furnished.

3-6 Alien Status (S.B. 1133) (Chapter 73) That section applicable to community colleges provides than an alien is to be classified as an in-state refugee student if he has been granted parole refugee status and has met all other requirements for domicile.

3-7 Inter-governmental Agreements (S.B. 1188) (Chapter 133) Requires that agreements or contracts between two counties must be signed by both county attorneys, filed with the Secretary of State and be signed by the Attorney General if the State College Board is part of the agreement.

3-8 Equalization Aid (S.B. 1236) (Chapter 116) Appropriates $924,000 to the State Board of Directors for Community Colleges to be distributed as equalization aid to those districts whose assessed valuation is below the newly established minimum level of $120 million.

3-9 Capital Funds (S.B. 1388) (Chapter 160) Appropriates $500,000 for the construction of a downtown campus by the Pima County Community College District Board.

### Legislation Introduced But Not Enacted

3-10 Non-credit Course Tuition (H.B. 2026) To require the State Board for Community Colleges to establish a minimum tuition and also to establish a uniform procedure for determining the indirect cost of non-credit courses. District boards would be required to charge tuition for credit and non-credit courses with the tuition for non-credit courses to cover direct and indirect costs.

3-11 Building Codes (H.B. 2135) To provide that all public buildings conform to local buildings, plumbing, electrical, fire prevention, and mechanical codes unless the state agency certifies to the Governor that any public buildings constructed or altered are in conformance with a code at least equal to the applicable code.

3-12 Collective Bargaining (S.B. 1260) To permit professional school employees including those at community colleges to organize for the purpose of negotiating with employers.

3-13 Hiring Discrimination (S.B. 1284) To extend the powers of the Civil Rights Division of the Department of Law to include within their surveys a study of employment practices of the state universities and community colleges and an investigation of hiring discrimination at these institutions.

3-14 Diploma Mills (S.B. 1340) Diploma mill bill. (No other information available).

3-15 Student Incentive Grant Program (S.B. 1366) To appropriate $150,000 for use by the 1202 Commission for matching federal funds for the Student Incentive Grant Program.

## ARKANSAS (4)

### Legislation Enacted

4-1 Legislative Review—Construction (H.B. 99) (Act 273) Requires all state-supported institutions of higher education to obtain legislative approval (i.e., specific appropriations) before undertaking any construction project in excess of $50,000.

4-2 Consulting Contracts (H.B. 102) (Act 222) Requires that all consulting contracts with state institutions be reported to the State Department of Finance and Administration and that state income tax be withheld from such contracts.

4-3 Temporary Loans (H.B. 341) (Act 147) Permits all institutions of higher education to obtain temporary loans from the State Budget Revolving Fund for operational purposes. Institutions must submit loan requests to the Director of the Department of Higher Education who will make a recommendation to the Chief Fiscal Officer of the State.

4-4 Quarterly Allocations (S.B. 423) (Act 486) Provides that the distribution of state allocations to institutions of higher education shall now be on a quarterly basis.

4-5 Employee Classification System (S.B. 428) (Act 410) Establishes a uniform classification and compensation plan for all state-supported institutions of higher education and places primary responsibility for implementing, maintaining, and reviewing the plan with the State Department of Higher Education.

4-6 State Board and Coordination (S.B. 465) (Act 560) A comprehensive Act to reenact most of the previous legislation in the field of higher education including the establishment of a State Board of Higher Education; definition of the structure, rights, powers, responsibilities and duties of the board; enabling legislation for community colleges including the role of the state board, local board, financing, formation of districts, etc. Notable changes from and additions to the previous legislation include: (1) requires the state board to institute a process of review of all programs at public higher educational institutions in order to insure the effectiveness of a comprehensive master plan, (2) requires the state board in conjunction with other bodies to develop a single set of budget forms which all state supported institutions will use, (3) requires the board to develop in conjunction with an advisory committee a comprehensive master plan for all of postsecondary education, (4) requires the state board to develop a thorough policy for the transfer of students between and among all higher educational institutions in the state, and (5) establishes an occupational education advisory committee to review all proposals for occupational education programs and make recommendations to the state board of education and the state board of higher education before the proposals are considered by these respective boards.

4-7 Unemployment Compensation (S.B. 611) (Act 608) Establishes the Unemployment Compensation Revolving Fund; requires colleges and universities to contribute 1 percent of gross payrolls for each pay period to the fund for the biennium 1977-1979; contributions will be experienced rated thereafter.

4-8 Review of Postsecondary Education (S.B. 612) (Act 709) Appropriates $100,000 to the Department of Higher Education to fund a "comprehensive role and scope study" which will examine all postsecondary education in the state.

## CALIFORNIA (5)

### Legislation Enacted

5-1 Retirement (A.B. 65) (Chapter 894) Pertains to the Community College State Teachers Retirement System, and increases Community College contributions to that fund; would not be operative until put into the budget by the Legislature.

5-2 Resident Classification (A.B. 88) (Chapter 398) Includes adult and minor refugees who have been granted conditional entrance status and, in the case of minor refugees, removes the requirement that their parents must also be refugees in order to obtain resident classification in Community College districts; provides easy transition of Community College refugee students in process of changing citizenship status.

5-3 Discrimination in Employment (A.B. 105) Requires the Postsecondary Education Commission to report to the Legislature and the Governor on March 1, 1980 and every two years thereafter (until and including 1985) concerning employment, classification and compensation of ethnic minorities and women by U.C., CSUC, and the Community Colleges and the results of affirmative action efforts by those institutions. Requires the Commission to serve as a clearinghouse for available employment of minorities and women in academic and administrative positions of public postsecondary education. Although AB 105 stipulates that the format for data collection be the same as required by the Federal Equal Employment Opportunity Commission, it still requires information on promotions and affirmative action efforts that the Chancellor's Office has not previously done.

5-4 Non-resident Tuition (A.B. 319) Provides that any student receiving a waiver of the non-resident tuition fee on the effective date of Chapter 990 of the Statues of 1976 would continue to receive such a waiver for a specified period of time and that no student would be required to pay an additional fee or charge for the period between January 1, 1977 and the effective date of this Act. Additionally, such students would not be counted in this Act. The bill was written for non-resident students to correct a flaw in a bill passed a year ago.

5-5 Apportionment Procedures (A.B. 388) The bill has been amended as the Board of Governor's vehicle for correcting a serious flaw in the apportionment procedures established in last year's SB 1641 regarding apportionments to districts which had non-district ADA in the base year. The bill provides an estimated additional $9,700,000 to be shared by 68 college districts.

5-6 Cosmetology License (A.B. 422) (Chapter 351) Changes existing law (which requires the practice of having 2 licensed cosmetology instructors per one provisional instructor) to one provisional instructor per one licensed cosmetology instructor.

5-7 Community College Governing Board Meetings (A.B. 449) (Chapter 138) Allows the taking of testimony at regularly scheduled Community College district governing board meetings on matters not on the agenda which any member of the public may wish to bring before the board, provided that no action is taken by the board on such matters at the same meeting at which such testimony is taken.

5-8 Credit Non-Credit Classes (A.B. 469) (Chapter 915) This bill addresses itself to several separate issues, including (1) educational programs and courses of instruction, (2) district organization and (3) Community College finance. It prohibits approval of any new or reorganized district which would have, after three years from the approval, less than 3,000 ADA credited annually; require, where any Community College formed after July 1, 1977, does not have, after three years from the approval, at least 3,000 ADA credited annually, inclusion of such district in the adjacent Community College district with the least amount of ADA. This bill also defines in the Education Code, a credit course and a non-credit course; makes non-credit courses subject to the provisions relating to Community College adult courses; and makes the above existing provisions, relating to course approval and to proscribed apportionments, applicable to credit and non-credit courses of Community Colleges.

5-9 Postsecondary Education: Inmates and Parolees (A.B. 491) (Chapter 665) Provides $40,000 for CPEC to study inmate education. Urges the Board of Governors, in cooperation with the Trustees of the California State University and Colleges and the Regents of the University of California, to support existing and additional programs which provide postsecondary educational opportunities and services to prison inmates, wards, and parolees of the Department of Corrections and the California Youth Authority.

5-10 Elimination of Mandatory Retirement (A.B. 568) (Chapter 852) Under existing law, participants in the Public Employees' Retirement System, the State Teachers' Retirement System, retirement systems established pursuant to the County Employees Retirement Law of 1937, and municipal retirement systems are subject to various mandatory retirement provisions. The measure permits system participants to continue in employment irrespective of age as regular retirement system members upon certification of the member's competence in employment by the employing department or agency pursuant to rules and regulations adopted by each respective governing board or the State Personnel Board in the case of state employees.

5-11 Student Board Member (A.B. 591) (Chapter 1184) Requires that the Governor appoint to the Community College Board of Governors a full time or part-time student enrolled in a Community College. Also requires the governing board of each Community College district to appoint a non-voting student member to the board. The student members on both boards would serve a one-year term. Student members on district boards would be precluded from attending executive sessions whereas the student member on the Board of Governors would be entitled to attend executive sessions.

5-12 Reorganized Education Code: Community College (A.B. 645) Adds to the new reorganized Education Code provisions inadvertently omitted.

5-13 State Guaranteed Loan Program (A.B. 647) (Chapter 1201) Revises the membership of the Loan Study Council from 10 to 15 members appointed by the Student Aid Commission. Also requires the Student Aid Commission to serve as a student loan guarantee agency. This entails many responsibilities such as distributing consumer information, and encouraging private lending institutions to loan money to students. The state would be required to pay any defaulted student loans. This bill also allows Community College students to participate in the Federally Insured Student Loan Program.

5-14 Psychiatric Technicians (A.B. 697) (Chapter 587) Existing law requires an applicant for a psychiatric technician's license to have successfully completed a prescribed course of study and training of at least 12 months in length in an accredited school. This measure permits an applicant to successfully complete a course of study and training which, together with previously acquired training or experience, is determined by an accredited school to be equivalent in academic credits to its regular program for psychiatric technician training. Also appropriates $175,000 to the Board of Governors for the purpose of expanding psychiatric technician training programs.

5-15 Tenure: Administrative Employees (A.B. 797) (Chapter 637) Provides that, notwithstanding any charter provision to the contrary, certificated employees of a school district or Community College district serving in an administrative or supervisory position shall neither acquire nor retain permanent status in such a position except in accordance with generally applicable provisions of law.

5-16 Community Colleges: Capital Outlay (A.B. 799) (Chapter 967) Provides, in the case of a Community College district which maintains colleges or one college and one or more centers, that it may submit to the Chancellor's Office a five-year plan of capital construction on the basis of each college or center maintained by the district under designated circumstances rather than one district-wide plan. It requires the Board of Governors to adopt rules for review process that would include recognition of isolation of student programs from existing colleges or centers within the district.

5-17 District Acquisition of Property (A.B. 851) (Chapter 1031) Instructs the Director of General Services to sell for 50 percent of current market value, certain property of the Modesto State Hospital located adjacent to the West Campus to the Yosemite Community College District. The college district will move its agriculture program to the West Campus.

5-18 Attendance in Health Services Classes (A.B. 891) (Chapter 362) Current law specifies various circumstances under which students in attendance in Community College classes and programs are deemed to be under the immediate supervision of a certificate employee of the district. This bill defines the term "immediate supervision" in health sciences programs to include situations in which a person licensed in one of the healing arts shares supervisory responsibilities with a certificated employee of the district.

5-19 Instructional Improvement Fund (A.B. 1173) (Chapter 714) Creates the Community College Fund for Instructional Improvement to be administered by the Board of Governors to support innovative instructional programs. Authorizes direct award loans and grants to faculty members, students, and administrators submitting project proposals, as specified; and transfers to the Community College Fund for Instructional Improvement $200,000 in General Fund money for fiscal year 1978-79. Transfers $800,000 beginning fiscal year 1978-79 from Section B of the State School Fund to the Fund for Instructional improvement. Provides for loans to be repaid by withholding from state aid apportionments during a specified period.

5-20 Employee Benefits (A.B. 1230) (Chapter 654) Permits the governing board of a school or Community College district to grant a leave of absence to any certificated employee who has applied for a disability allowance and would make provision for classifying employees who replace certificated employees who are on a leave of absence.

5-21 Contracts with Neighboring States (A.B. 1255) Authorizes Community College districts to contract with a public or private postsecondary institution in a neighboring state which borders on the district boundary to provide education.

5-22 Competitive Bidding (A.B. 1326) (Chapter 631) Community College districts are required to use competitive bidding in letting contracts involving more than $5,000 for work to be done or more than $8,000 for materials or supplies to be furnished, sold, or leased to the district. This measure increases these amounts to $8,000 and $12,000 respectively.

5-23 Disabled Employment (A.B. 1309) (Chapter 1196) Directs every state agency to develop a plan for employment of disabled persons on an equal and competitive basis with others, to annually review its hiring practices, and to develop plans to overcome and correct under representation of any category of disabled person. Also directs each agency to develop an affirmative action plan for employment of disabled persons, and to submit such plan annually, together with goals and time tables, to the State Personnel Board. Requires each state agency to establish a committee of disabled employees to advise it on the implementation of such plans.

5-24 Capital Appropriations (A.B. 1342) (Chapter 947) Appropriates $3,000,000 for the 1977-78, 1978-79, and 1979-80 fiscal years, for the restoration and conversion of the Old Administration Complex at Fresno City College as a San Joaquin Valley agricultural museum within the state park system.

5-25 Community College District Legal Services (A.B. 1530) (Chapter 386) Eliminates a portion of existing statutes which deal with Community Colleges obtaining private legal counsel. This bill specifies that written views of a district attorney or county counsel shall not be binding, but shall be advisory only. The bill also expands the services that may be contracted for, from specialized legal services to all legal services.

5-26 Athletics (A.B. 1724) Permits governing boards of Community College Districts to enforce the rules and regulations relating to eligibility for, and participation in, intercollegiate athletics of a voluntary association, one of whose purposes is the governance of intercollegiate athletics.

5-27 Classified Employees (A.B. 1769) (Chapter 427) Authorizes a Community College district to assume responsibility for activities formerly conducted by a student body organization, including fund raising activities, and would confer upon student body employees who formerly performed the activity assumed by the district the same right as a membership in the district's classified service as are presently conferred upon book store employees. Permits the governing board of a district to engage in fund raising activities first by approving such activity for the student body, then by assuming the responsibility.

5-28 College District Aid (H.B. 1841) (Chapter 727) Under current law, a school district may annually request the Superintendent of Public Instruction and a Community College district may annually request the Chancellor of the California Community Colleges to exclude from the district's assessed valuation the assessed valuation of redevelopment property for which the district is receiving reduced tax proceeds. This measure specifies that such requests would remain in effect from year to year until revoked by the governing board of the district. The measure precludes necessity of yearly requests for exclusion and makes legal what was being done administratively. The measure requires the Chancellor to be notified when the redevelopment project is terminated or changed in such a way to substantially affect the tax revenue it contributes.

5-29 Postsecondary Education (A.B. 1860) (Chapter 730) Provides that proposals for non-state funded Community College institutions, branches and off-campus centers be reported to the California Postsecondary Commission; also authorizes the commission to review and comment upon such proposals.

5-30 School Board Compensation (A.B. 1870) (Chapter 363) Deletes provisions specifying maximum amounts of compensation per meeting actually attended by school district governing boards, and instead, authorizes the payment of compensation of board members who actually attend all meetings held in any month at various maximum amounts per month, with provision for a pro rata share of the maximum amount allowed for members not attending all meetings held.

5-31 Training of Family Physician Assistants (S.B. 8) Reappropriates unexpended funds from the General Fund to the Department of Health to train family physicians, primary care physician assistants, and primary nurse practitioners. This law will relieve pressures of expensive funding of physician assistants cooperative training programs in Community Colleges.

5-32 Mental Health Training Programs (S.B. 18) Provides two activities to help alleviate the lack of qualified and adequate staff for state mental hospitals. Firstly, it will provide for in-service training for hospital employees and secondly, provide for equivalency psychiatric technician programs in state hospitals. As passed, the law implies that clinical experience at a state hospital will be an integral part of any psychiatric training program. Several of the Community Colleges have successful on-going programs which include no clinical experience.

5-33 Taxation (S.B. 90) (Chapter 1135) Authorizes school districts, community college districts and county superintendents of schools to levy a property tax rate in addition to the otherwise permissible maximum rate to pay costs mandated by the federal government or by the courts which are not funded by the federal or the state government. Existing law continuously appropriates money from the State General Fund to compensate local governments for property tax revenues lost by reason of the homeowners' property tax exemption. This bill, by authorizing school districts, community college districts and county superintendents of schools to levy an additional tax rate, would have the effect of changing the existing appropriation. Under existing law, if a local agency or school district, at its option, has been incurring costs which are subsequently mandated by the state, the state shall reimburse them for such costs incurred after the operative date of such mandate and the local agency or school district is required to reduce its property tax rate by an equivalent amount. This bill would specify that, in such circumstances, the maximum property tax rate shall be reduced by an equivalent amount and would also require such local agency or school district to reduce its revenue limit and its actual tax rate levied for such purpose.

5-34 Energy Systems (S.B. 150) (Chapter 773) Requires the State Energy Resources Conservation and Development Commission to prepare a manual outlining methodology by which governmental agencies and the general public may compare the life cycle of various building design alternatives. The manual would contain guidelines for the new construction of energy conserving buildings and guidelines to develop and make available to governmental agencies and the general public, lighting standards for existing buildings. The law requires that every new building owned by the state have a solar water heating system unless exempted by the State Architect.

5-35 Community College Facilities (S.B. 275) Under current law before letting any contract totaling $10,000 or more for the erection of any new Community College facility, or for any addition or alteration of existing facility, districts must obtain written approval of the plans by the Chancellor's Office. This bill allows construction of up to $20,000 on Community College campuses without approval of the Chancellor's Office.

5-36 Community College Construction Projects (S.B. 326) Repeals the provisions of SB 616. That law allowed college districts with construction projects approved by the Chancellor in the 1975-76 capital outlay program to move forward with the expectation of retroactive funding if and when the project was approved for funding in a subsequent budget. The conditions included preliminary plan approval by the State Department of Finance.

5-37 Regional Occupational Centers (S.B. 375) (Chapter 758) Permits Regional Occupation Centers to provide instruction in academic and personal development on an individual referral basis, when such instruction is determined to be essential to ensure the employability of the student. The law expands the ROC's function, and indirectly affects Community College and high school programs.

5-38 Classified Employees (S.B. 402) Excludes from the classified service altogether, persons employed by a school district or Community College district in accordance with any federal employment program, including C.E.T.A., which restricts entry to persons who have been unemployed for a specific period, who are recipients of unemployment or welfare benefits, or who have exhausted, or are ineligible for, such welfare or unemployment benefits.

5-39 Fire Service Training and Education (S.B. 456) (Chapter 1248) Establishes the California Fire Service Training and Education Program in the office of the State Fire Marshal instead of the Department of Education (including Community Colleges). It appropriates $90,000 to the State Fire Marshal to carry out the California Fire Service Training and Education Programs. The measure tends to duplicate or displace the existing delivery system that exists within Community Colleges for such programs.

5-40 Relative District Ability Formula for Two Community College Districts (S.B. 476) (Chapter 925) Will, for two eligible Community College districts, Lake Tahoe and Mendocino, established on or after July 1, 1973, extend the "relative district ability" formula until the districts receive a prescribed amount of combined state and district funds per weekly student contact hour. This law creates an average of $1.2 million per year less for construction for the other 68 districts during the next five years, but is an advantage to the participating districts during initial construction of facilities.

5-41 Student Records (S.B. 605) (Chapter 861) This measure makes technical changes in Education Code provisions relating to student records, so as to make them consistent with current federal law and regulations.

5-42 Audits of Community College Districts (S.B. 787) (Chapter 936) Under current law, governing boards of community college districts are required to provide for an audit of the books and accounts of the district. Reports of such audits must be filed with various agencies, including the Board of Governors of the California Community Colleges and the Department of Finance. If an audit is not provided for at the local level, the Department of Finance is authorized to make arrangements for the audit, the costs of which would be paid by the local entity. The Department of Finance, in cooperation with the Board of Governors, is required to provide statements and other information to be included in the audit reports filed with the state. The Department of Finance is authorized to make audits, surveys, and reports, and to develop procedures, to carry out these provisions. This measure requires that the auditor's report include a statement that the audit was conducted pursuant to standards and procedures developed by the Department of Finance, in cooperation with the Auditor General and the Board of Governors, and a summary of audit, exceptions and management improvement suggestions. This law requires, rather than authorizes, the Department of Finance to make arrangements for audits at the local level if the local entity does not do so. This measure deletes the requirement that the Department of Finance and the Board of Governors prescribe audit statements and other information, and instead requires that task to be performed by the Department of Finance, in cooperation with the Auditor General and the Board of Governors. This law requires the Department of Finance, in cooperation with the Auditor General and the Board of Governors to review audit procedures, statements, and other information, requires updating of standards, as specified.

5-43 Employer-Employee Relations (S.B. 839) (Chapter 1159) Enacts the State Employer-Employee Relations Act which provides that state employees have a right to form, join, and participate in the activities of employee organizations for the purpose of representation on all matters of employer-employee relations. The chosen employee organization will have a right to represent its members and the scope of such representation will include wages, hours, and other terms and conditions of employment.

5-44 Force Account Maintenance (S.B. 965) (Chapter 782) Makes the day labor or force account statute applicable to routine maintenance, including repainting, upon school buildings. It saves the cost of preparing bidding documents and contractor markups.

5-45 Regional Career Guidance Center (S.B. 986) (Chapter 1254) Deletes existing statutory authority for the career guidance pilot program, and provides for a regional career guidance center in Santa Clara, Los Angeles and San Diego Counties. It provides for the establishment of local advisory committees and requires the State Board of Education to adopt guidelines for the operation of the centers.

5-46 Community College Districts (S.B. 998) (Chapter 781) Modifies the exemption of counties not belonging to Community College districts from 250 units of ADA in grades 13 and 14 in Community Colleges during the preceding fiscal year to 350 units of ADA in Community Colleges during the preceding fiscal year.

5-47 Community College District Elections (S.B.1115) (Chapter 747) Removes the requirement that the county superintendents of schools consolidate school and Community College district elections and instead makes such the duty of the officer conducting the election.

5-48 Earthquake Safety (S.B. 1216) (Chapter 497) Grants an extension from the Field Act to apply only to the Los Angeles Community College District, which would extend the date of compliance to June 30, 1979.

### Legislation Introduced But Not Enacted

5-49 Low Income Students (A.B. 507) Would require the Student Aid Commission to establish an 11-member advisory committee of specified composition and to apportion funds for the support of pilot projects, meeting designated criteria, and designed to increase the accessibility of postsecondary educational opportunities to low-income high school students and Community College students to continue in their studies.

5-50 Student Aid (A.B. 528) Would have increased the award for tuition and student fees under the Cal Grant Program, and the competitive scholarship program from $2,700 to $3,200. Would increase the award for tuition, student fees, subsistence cost under Cal Grant from $3,600 to $4,200. (Vetoed by the Governor).

5-51 Unemployment Insurance (A.B. 644) This measure would implement federal law (PL 94-566), which makes unemployment insurance mandatory for all State employees, with specified exceptions. The measure will cover all district employees, both classified and certificated.

5-52 Senior Citizens (A.B. 662) Would permit the governing board of any school district Community College district, or County Superintendent of Schools to establish a program whereby senior citizens may be used as volunteer teacher aides, helpers, or special aides in pre-school programs, day care programs, and programs for exceptional students. Would authorize each school district and Community College district to establish a meal program for senior citizens. (Vetoed by the Governor.)

5-53 Student Aid (A.B. 683) Would provide that no fee may be charged for determining a Cal Grant applicant's financial need whose annual family income is less than $10,000. The bill would appropriate $120,000 to reimburse Student Aid Commission for processing applications for which no fee may be charged.

5-54 Regional Occupation Centers (A.B. 773) Would have permitted Regional Occupation Centers and programs to provide vocational opportunities which are not offered in contributing secondary schools and which include more than one Dictionary of Occupational Titles category, and which will provide salable exit skills. Would have required the Department of Education to evaluate the program and submit it to the Legislature. Would have expanded the function of R.O.P. to further compete with colleges and high schools. (Vetoed by the Governor.)

5-55 Certificated Employees (A.B. 824) Would provide that employment for Community College sojourn certificated employees would not exceed two consecutive two-year periods rather than from year to year not to exceed five years. Also would require Board of Governors of the California Community Colleges, upon application of such employee, to issue him a Community College instructor credential if he has completed four years of successful teaching as a sojourn certificated employee.

5-56 Student Aid Commission Grants (A.B. 868) As amended would provide 23,873 Cal Grant awards for 1978-79 fiscal year and each year thereafter with 2,148 awards for occupation and technical training. Would also increase the number of state occupational education and training grants to 1,873 for the 1978-79 fiscal year. Would appropriate $1,250,000 to the Student Aid Commission, without regard to fiscal years, for the purpose of making such grants.

5-57 School Employees (A.B. 951) Under existing law, certificated and academic employees of the California State University and Colleges, K-12 districts, and Community Colleges may, under certain circumstances, reduce their work load from full-time to part-time duties without loss of retirement benefits. Such part-time status is limited to five years. Such regulations must provide that an employee must have been employed full-time as a certified or academic employee for at least ten years of which the immediately preceding five years were full-time employment. This bill would extend the period of limitation of such part-time status to seven years, and would delete, as to academic employees of the California State University and Colleges, the requirement that such employees must have been employed full-time the immediately preceding five years. (Vetoed by the Governor.)

5-58 Certificated Employees Furlough (A.B. 1018) Would permit the governing board of a school district or a Community College district to permit certificated employees of the district to take a furlough of up to three years during which time the employee may accept other employment.

5-59 Community College Nursing Program (A.B. 1149) Would require the establishment of a specified pilot program in bilingual-bicultural nursing as part of a school of nursing at a Community College to be selected by the Board of Governors of the California Community Colleges. Authorizes Community College districts to establish bilingual-bicultural nursing programs. Would provide professional nursing and vocational nursing to areas where those not bilingual or bicultural would not have sought employment.

5-60 Postsecondary Education Accrediting Associations (A.B. 1223) Would require accrediting associations or agencies to conduct public meetings when considering California institutions and when deliberating concerning the accreditation or approval of postsecondary institutions located in California and such accreditation or approval is condition for any state governmental action. Would permit executive sessions to be held under specified circumstances.

5-61 Postsecondary Regional Cooperation (A.B. 1242) Would have expressed the intent of the Legislature that regional cooperation of public and private institutions of postsecondary education would be fostered through a competitive grant program, which would have required the establishment of a three-year pilot competitive grant program to award grants to regional consortium of institutions, for an expansion of the cooperative efforts of the participating institutions. The grant program would have encouraged regional planning and coordination, and cooperative delivery of services on a regional basis. Would have appropriated from the general fund to CSUS as the lead agency the sum of $630,000. Would have required CPEC to submit annual reports to the Legislature on the competitive grant program and an evaluation on or before October 1, 1980, concerning the program's continuation and future operation or its termination. (Vetoed by the Governor.)

5-62 Inmate Education (A.B. 1353) Would have established the J. J. Bonaroo College, under the jurisdiction of the Board of Governors of the California Community Colleges, which would have offered education programs to inmates and wards of state prisons, institutions, and facilities in the Department of Corrections. The bill had been amended to provide for Administration by the Board of Governors. The college would have offered instruction through, but not beyond, the 14th grade level and would have had the authority to issue high school diplomas, associate in arts degrees, and associate in science degrees. Opposition was based on the fact that further study of all options for inmate education is needed. (Vetoed by the Governor.)

5-63 Postsecondary Education Accrediting Associations (H.B. 1391) Would require accrediting associations or agencies to conduct public meetings when deliberating the accreditation or approval of postsecondary institutions located in California and such accreditation or approval is a condition for any state governmental action. Would require the Superintendent of Public Instruction to review any decision made, as to whether or not an institution should be accredited, by an accrediting association or agency, when requested to make such review by a postsecondary institution located in California or any student or graduate of such institution.

5-64 Allocations from the COFPHE Fund (A.B. 1411) Under existing law, certain revenues received by the State Lands Commission and the Long Beach oil and dry gas revenue, are deposited with the Capital Outlay Fund for Public Higher Education (COFPHE), and are then divided among the segments for construction purposes. The California Community Colleges have not materially benefitted from these funds in the past because of available bond money, but they must now in the absence of bond money depend on them. AB 1411 would make one-time appropriations or annual appropriations of various amounts from the COFPHE fund to be used by the Department of Parks and Recreation, State Lands Commission, the Public Beach Fund, and other state agencies to be used for land development and construction not connected with public postsecondary education. (Vetoed by the Governor.)

5-65 Community College Board of Governors (A.B. 1491) Would have revised the statutes so that ultimately all Board of Governors members would serve for six year terms. The bill would have prescribed particular one-time varying term lengths to ultimately effect a systematic sequence of expirations to apply with respect to the six-year term. (Vetoed by the Governor.)

5-66 Community College Student (A.B. 1606) Would permit the student body association of a Community College to impose a mandatory student fee not to exceed $10.00 per academic year, providing that a majority of students vote in favor of such a proposition at an election held for that purpose. Would include provisions for propration of the fee to part-time students, and waivers of payment in hardship cases.

5-67 Postsecondary Education Service Centers (A.B. 1672) Would require the California Postsecondary Education Commission to provide consumer information to non-traditional students on postsecondary educational opportunities. Would require the development of three pilot centers. Each center shall be a three-year pilot project and shall be conducted by an existing or newly created organization pursuant to contract with the Commission. (Vetoed by the Governor.)

5-68 Instruction Expenditures (A.B. 1812) Would delete the requirement for Community College districts to spend 50 percent of the current expense on the salaries of classroom instructors.

5-69 Common Governing Board (A.B. 1827) Would authorize the common governing Board for the Long Beach Unified School District, on its own initiative, to determine that a separate Community College board be established and require members of the common board to elect which board to serve upon. (Vetoed by the Governor.)

5-70 Vocational Nursing (A.B. 1894) Existing law provides that six of the 11 members of the Board of Vocational Nurse and Psychiatric Technicians Examiners shall be persons licensed under the provisions relating to healing arts, and five members shall be public members. This bill would have provided instead that three must be licensed vocational nurses who have been licensed for three years prior to appointment; one member must be a registered nurse who has designated teaching or administrative experience; two members must be licensed psychiatric technicians having designated experience; and five members must be public members. (Vetoed by the Governor.)

5-71 Community College Building Inspection (A.B. 1957) Would repeal the statute of January 1, 1978. This would allow a registered construction inspector to inspect the construction, reconstruction or alteration or school buildings. Would prevent delays in school construction due to shortage of registered construction inspectors.

5-72 Community College Tuition (A.B. 1987) Would require the district of residence to permit students to attend criminal justice and fire training courses in another district, and would require the payment on behalf of such students tuition fees computed in the same manner as if an interdistrict attendance agreement existed between the two districts. The district of attendance would be forced to accept such students and pay the local portion of support. By 1978-79 all support for such student attendance would have to come from the local revenue of the district of attendance.

5-73 Occupational Information (A.B. 2020) Would require the Director of Employment Development, the Superintendent of Public Instruction, the Chancellor of the California Community Colleges, the Director of the Department of Rehabilitation, and the Chairperson of the California Employment and Training Advisory Council, to each designate a representative who shall cooperate jointly as the State Occupational Information Coordinating Committee to develop and implement the California Occupational Information System as the official state program for the production of occupational planning, administration and guidance information for use by vocational educators, education and training planners, students and counselors. Would require the California Community Colleges and others to report to the Legislature on the progress made towards the establishment of the Occupational Information program and how the information from this program is used.

5-74 Postsecondary Education (ACR 43) Requests the Regents of the University of California, the Trustees of the California State University and Colleges, and the Board of Governors of the California Community Colleges to develop and implement plans which further the admission, preparation and training of persons seeking careers in the medical and legal professions who are bilingual and culturally sensitive in the languages and cultures of non-English-speaking persons, and report thereon to the Postsecondary Education to integrate and study such plans and report thereon to the Legislature by January 1, 1978.

5-75 Diversion of COPHE Funds (S.B. 346) Would divert $10 million annually from the Capital Outlay Fund for Public Higher Education for the construction of various water projects, including the peripheral canal.

5-76 California State University and Colleges Capital Outlay (S.B. 499) Would have authorized the sale of real property at Ventura County owned by the California State University and Colleges which was acquired for a future college site. It further provided for the deposit of proceeds from the sale into the Capital Outlay Fund for Public Higher Education. The moneys received from the sale of real property in Ventura would not have been available for use by other segments of higher education. In contrast, capital outlay funds reverted from the University of California and the California State University and Colleges are not earmarked and cannot be restricted. The bill could have set a new precedent. (Vetoed by the Governor.)

5-77 Vocational Education (S.B. 554) Would require the governing board of each school and Community College district which offers vocational education courses or programs for adults, for which no transfer credit is given by the University of California or the California State University and Colleges, to keep records in this regard and make such records available to all students enrolling in such classes and programs.

5-78 Vocational Nursing (S.B. 672) Would change the number and qualifications of the Board of Vocational Nurse and Psychiatric Technician Examiners. The bill would provide that among other vocational nursing board members, a licensed vocational nurse teacher or administrator with five years experience as a teacher or administrator shall be included. No licensed vocational nurse in the State of California has been qualified as an administrator or teacher in the Community College accredited vocational nursing programs.

5-79 Small College Formula (S.B. 818) Would extend small district finance formula to colleges within multi-campus districts providing such districts have less than 3000 ADA and would be in operation on or before July 1, 1977.

5-80 Staff Development (S.B. 907) Would have enacted the Community College Staff and Instructional Development Act which would have had as its purpose assisting Community College governing boards in meeting the increasing need for in-service staff and instructional program development. (Vetoed by the Governor.)

5-81 Employer-Employee Relations (S.B. 1065) Would allow a local public employer including Community Colleges and an employee organization recognized as the exclusive bargaining representative of the employer's employees to negotiate an agency shop agreement, as defined, thereby removing the right of the employees to refuse to so participate.

5-82 School Personnel Commission (S.B. 1144) Would amend Sections 45628 and 88087 of the Education Code, which would allow the governing board of a school district or Community College District to approve, amend, or reject the recommendations of the personnel commission in a school district. Would allow the governing board to negotiate approval, rejection, or amendments to recommendations with exclusive representatives of the classified service.

5-83 Veterans Administration (SJR 26) Memorializes the President and the Congress of the United States to provide relief from liabilities ($2,000,000) assessed against the California Community Colleges by the Veterans Administration, as well as to provide relief from infringement by the Veterans Administration on the institutional prerogatives of the California Community Colleges by current Veterans Administration rules, policies, and regulations.

## CONNECTICUT (7)

### Legislation Enacted

7-1 Student Activity Funds (H.B. 6114) Permits students of any public institution of higher education to assume total control of student activity funds through referendum procedures.

7-2 Student Financial Assistance Commission (H.B. 6262) Creates a State Student Financial Assistance Commission; provides that the Commission will generally coordinate student aid for higher education by setting regulations for the various aid programs including the state scholarship program, the state supplemental grant program, and the work-study program; sets a $1000 maximum award limitation; provides for funds to be given to those individuals pursuing advanced degrees and teaching certificates in fields where there is a shortage of teachers; provides for a maximum of $400 per year to be awarded to children of military personnel killed in action, disabled veterans, and MIA's; establishes scholarship fund for Vietnam era verterans; and provides for scholarships for individuals pursuing degrees in the field of special education.

7-3 State Board (H.B. 7658) Creates a state system of public higher education to include the University of Connecticut, the state colleges, the regional community colleges, the state technical colleges, and the board for state academic awards; creates a twenty member Board of Higher Education to replace the Commission for Higher Education; establishes a faculty advisory council to the Board; provides for the Board to employ a Commissioner to serve as executive officer; requires the Board to submit a proposal for the reorganization of the public higher education sector by January 1, 1979. Board's responsibilities will include but not be limited to developing a statewide policy for public higher education, preparing a consolidated public higher education budget, preparing a priority listing of capital projects as well as making recommendations on merging, closing or changing existing programs, facilities, and campuses; deciding on proposals submitted by the constituent units, establishing criteria to ensure acceptable quality in programs and institutions, reviewing constituent units' plans to ensure that they are meeting their responsibilities, providing more effective systemwide planning and coordinating programs and services throughout all of higher education in the state, preparing a master plan for public higher education, determining tuition and fees at all of the constituent units, and serving as the 1202 Commission. The Act also provides that the boards of trustees of the constituent units will maintain control over institutional staffs, outlines the responsibilities of the constituent units, provides for contractual arrangements for coordinating purposes between public and private higher education sectors, designates the Board to act as arbitrator in disputes between the constituent units, and makes technical changes in previous legislation to make it conform to the provisions of this act.

7-4 Appropriations Appropriates $24,413,620 for the Regional Community Colleges and $6,107,392 for the State Technical Colleges. The latter figure includes $600,000 for a new institution, the Greater New Haven State Technical College.

### Legislation Introduced But Not Enacted

7-5 Student Liability (H.B. 5864) Would have extended to students participating in clinical experience field programs the liability protection which the state provides to its employees for acts committed in the discharge of their duties. (Vetoed by the governor).

## DELAWARE (8)

### Legislation Enacted

8-1 Federal Aid Coordination Creates the Delaware State Clearinghouse Committee for Federal Aid Coordination. Committee consists of the Chairman and Vice-Chairman of the Joint Finance Committee, the Controller General, the Budget Director, the Personnel Director, the State Planner, and the Secretary of Finance. Duties and responsibilities of Committee: establish State's goals with relation to maximum use of federal funds; develop procedures for all state agencies including higher education concerning the application for federal aid; establish policy concerning federal aid and approve or disapprove applications for federal aid. Requires all state agencies to submit federally required state plans to Committee for approval at least sixty days before required submission to federal government and submit all applications for federal aid to Committee at least forty days before submission deadline.

8-2 Appropriation Appropriates $10,597,522 for the Delaware Technical and Community College. Also requires that all tuition payments and fees collected by the Continuing Education Division of the Delaware Technical and Community College shall be expended for tuition refunds, salaries, and wages, other employment costs and operating expenses of the Continuing Education Program. Previously these revenues had gone into the State Treasury.

8-3 Coordination (Executive Order Number 30) Reorganizes and reconstitutes the Delaware Postsecondary Education Commission. The commission will consist of fourteen members, eight voting and six ex-officio. The Commission's major responsibility is to develop comprehensive plans for postsecondary education. Within this broad framework, the Commission will develop plans and make recommendations to the governor for the proper role and scope of the various postsecondary institutions, approve proposed degree programs, and other policy, financial, or procedural matters as determined by the governor. The Commission will also be responsible for the Community Services and Continuing Education Authority, the Equipment for Undergraduate Instruction Authority, and the Grants for Construction of Undergraduate Academic Faculties Authority.

8-4 Affirmative Action (Executive Order Number 43) Creates an Affirmative Action Task Force to study the progress and effects of affirmative action in state agencies.

**Legislation Introduced But Not Enacted**

8-5 Appropriation To provide a supplement of $232,300 to the 1977-78 budget for the Delaware Technical and Community College.

## FLORIDA (9)

### Legislation Enacted

9-1 Appropriations (H.B. 10-A) Appropriates $179,314,348 for community colleges for 1977-78. Also appropriates $27,970,453 to community colleges and $23,568,989 to vocational technical centers for capital expenditures.

9-2 Administrative Procedures (H.B. 18) Requires schools licensed by State Board of Independent Postsecondary Vocational, Technical, Trade and Business Schools to send records to Board if going out of business; establishes minimum standards for every school to include purpose, organization, educational program, finances, facility, library, student personnel services, faculty and status in relation to professional certification and licensing; prohibits non-public schools from advertising without license; changes membership of Florida Education Council.

9-3 Retirement Benefits (H.B. 43) Amends statutes affecting the Florida Retirement System by expanding the definition of "prior service" to permit the purchase of retirement credit for employment during which no contributions were made and to permit purchase of service when no contributions were made due to a written rejection of the system; authorizes certain employees who had rejected membership in the Florida Retirement System to withdraw such rejection and participate in the system; rewrites section on contribution rates for repurchasing past non-contributary, creditable service and provides that either 9 percent of old salary or 9 percent of $100, whichever is greater, should be contributed by the members; expands military service definition to include wartime service provided that such service has not been used in any other retirement systems.

9-4 Part-Time Employment (H.B. 45) Permits all state employees with salary fixed by law, in addition to state attorneys and public defenders, to receive compensation from an educational agency in addition to their regular salary.

9-5 Administrative Procedures (H.B. 577) Prohibits all governmental agencies including schools from purchasing foreign beef.

9-6 Public Meetings - Handicapped Access (H.B. 628) Requires all governmental bodies, including schools, to schedule public meetings in buildings accessible to the physically handicapped if requested to do so in writing by any handicapped persons.

9-7 Penal Bonds (H.B. 925) (Chapter 77-78) Provides officials or boards of county, city, political subdivisions, or public authority with discretionary power to exempt contractors from executing the usual penal bonds on contracts of $25,000 or less.

9-8 Per Diem (H.B. 1213) Increases per diem to $35 per day.

9-9 Biennial Budgets (CSSB 23/372/735/1111/1376) Provides for biennial budgets for all state agencies, including schools. The legislature will consider the two year budget and make biennial appropriations in odd-numbered years with the authority to make changes in even-numbered years; first biennial budget to be for 1979-81.

9-10 Surety Bonds (CSSB25) Specified language and conditions of surety bonds in construction of public buildings, including schools.

9-11 Construction Approval (S.B. 29-A) Requires community colleges to clear building decisions through Office of Educational Facilities Construction; providing for maintenance and operation standards to be used as guidelines by boards; providing for developing joint use facilities between public schools, community colleges, the Board of Regents, and the Florida School for the Deaf and Blind; requires school boards to survey and report hazardous areas to authorities responsible for correcting hazards; exempting community colleges from wage rate requirements; provisions for allocating capital outlay funds to boards by specific formula; changes the priority for expenditure of public education capital outlay funds to include all levels of education, providing for restoration of historic education facilities and for making other technical changes; extending provision for expending capital outlay funds on leased property; deleting provisions for withholding 10 percent of a contract until final inspection is made; requires district school boards to provide local governments with information on availability of school facilities; providing for continuing appropriation for Gross Receipt Tax as authorized in the State Constitution; and requires the state board to establish a five year capital projects program and to annually authorize the capital projects plan for each board.

9-12 Construction Bid Preference (S.B. 37-B) Provides that all governmental agencies including schools may in the process of awarding construction projects give an in-state bidder the same percentage preference as an out-of-state bidder if the out-of-state bidder has preference within his own state.

9-13 Handicapped Parking (S.B. 41) Requires that special parking places for the handicapped be established at all public facilities.

9-14 Trustees Absences and Board Authority (S.B. 42) Requires the chairman of each community college board of trustees to inform the Governor in writing when any board member misses three consecutive board meetings. This may become the basis for dismissing any board member. Also removes the Division of Community Colleges of the Department of Education from the process of appointing and dismissing community college presidents by placing sole authority for such acts with the local board of trustees. Also grants each community college board of trustees the authority to act without a recommendation from the president of the institution and the power to require the president to deliver all information needed by a board to perform its duties.

9-15 Retirement (CSSB 66) Amends statutes relating to the Florida Retirement System by permitting retirement after 30 instead of 35 years including a maximum of four years of military service not claimed under another retirement system; by requiring employees to contribute 10 percent of gross compensation to the retirement fund and increasing employer's contribution from 9 percent to 10.2 percent of gross compensation per employee; and by permitting an employee to request that the best five years of his career instead of the best five years of the last ten years be used to calculate his average fiscal compensation.

9-16 Veterans Fee Deferment (S.B. 116) Requires all state institutions of higher education to grant one 60-day fee deferment in each calendar year to veterans if requested and permits institutions to grant fee deferments for other students at their discretion; prohibits deferment if eligible person has received advanced or prepared educational benefits; limits deferment to first term enrollment per year; prohibits reenrollment if deferred fees are not paid; requires individuals receiving deferments to sign a promissary note; requires the Department of Education to formulate a promissary note form; exempts such promissory notes from documentary stamp requirement; provides authority for collection of defaults, recording of defaults on permanent records, and forwards a notice of failure to pay to the U.S. Veterans Administration.

9-17 Unemployment Compensation (S.B. 148) Permits all governmental units to use contributory method rather than reimbursement method for paying contributions to unemployment compensation fund; establishes Public Unemployment Compensation Benefit Account to handle funds and outlines specific procedures for computing rate.

9-18 Personnel/Student Penalties (S.B. 271) Permits a community college board of trustees and the Board of Regents for the state universities to adopt rules establishing a uniform code of appropriate penalties for students and employees. Such penalties may include fines, withholding of diplomas or transcripts, and the imposition of probation, suspension, or dismissal.

9-19 Thermal Standards (CSSB 321) Requires all buildings with an area of over 1500 feet constructed or renovated after December 31, 1978, including schools, to meet established thermal standards.

9-20 Lighting Standards (CSSB 341) Requires all public buildings over 1500 feet constructed after December 31, 1978, including schools, to meet lighting standards as set by ASHRAE.

9-21 Veterans Admission Preference (S.B. 342) Requires that veterans be given preference for admission to vocational programs only if their enrollment is directly related to present employment or the securing of employment.

9-22 Real Estate Courses (S.B. 358) Requires any person desiring to be registered or renew a registration as a real estate broker or salesman to complete a set number of courses. Limits classroom work to 51 hours for real estate salesmen and 48 hours for brokers in all accredited real estate schools including community colleges and universities.

9-23 Records (S.B. 359) Establishes the rights of parents, guardians, and students concerning student records maintained by public schools, community colleges, and universities. Provides for compliance with the Buckley Amendment. Key features include definitions of records, reports, and directory information; outlines rights of parents, guardians, and students including but not limited to records access, confidentiality, privacy, right to challenge and a hearing, provisions for those students who are 18; requires institutions to annually notify all persons concerned with these provisions; provides penalties for non-compliance; exempts student records from those acts requiring public disclosure of public records; authorizes the State Board of Education to prescribe the content and custody of student records.

9-24 Liability Provisions (CSSB 396) Clarifies that state agencies and subdivisions are included in the $100,000 limited liability provisions for tort claims and authorizes self-insurance and participation in group managed insurance programs.

9-25 Retirement Benefits (S.B. 413) Authorizes retirees under systems not offering social security and who had benefits recomputed on basis of new law setting minimum of $10 times years of service to also receive annual cost of living benefit.

9-26 Centralized Admission System (S.B. 425) (Chapter 77) Removes all restrictions on the use of credit cards within the state university systems. Also requires the Florida Postsecondary Education Commission to study the feasibility of establishing a centralized admission system and census of student enrollment for use at all levels of postsecondary education in the state. The study is to be completed at least ninety days before the next legislative session.

9-27 Administrative Procedure Act Revisions (S.B. 553) Those changes affecting educational units include exclusion of curriculum from the definition of a rule; exemption of educational units from advertising emergency rule in the Florida Administrative Weekly; a provision that the rules of educational units are to be filed in the office of the agency head instead of with the Administrative Procedures Committee and that they shall be open for public inspection; and a provision that establishes the effective date of educational units' rules as the date when they were adopted or the date specified in the bill.

9-28 Abandoned Property (S.B. 849) Permits the board of trustees of a community college to sell lost and abandoned property found on the campus and directs each board to use the proceeds from such sales for student scholarships and loans.

9-29 Financial Aid Commission (CSSB 869) Creates a nine member Florida Student Financial Commission within the Department of Education to administer the comprehensive program of student grants, scholarships, loans and loan guarantees; defines the powers and duties of the Commission; establishes a Student Loan Guarantee Reserve Fund and authorizes the Commission to accept grant funds and federal advances and to assess insurance premiums for each loan; provides for the establishment of rules for community colleges and state universities which permit deferal of registration and tuition fees for students receiving financial aid other then veterans benefits if the aid is delayed due to circumstances beyond the student's control; extends bonding authority to $85 million.

9-30 Unemployment Compensation (S.B. 1231) Makes technical and substantive changes in unemployment compensation statutes generally to conform to federal law including placing schools on contributory rather then reimbursement basis, making 10 month non-instructional and temporary school personnel eligible for benefits; deletes pregnancy as an exception to good cause requiring separation from employment; redefines "wages" to exclude remuneration over $6000 per year from such term.

9-31 Collective Bargaining Amendments (S.B. 1449) Revises collective bargaining law to make Public Employee Relations Commission (PERC) a three-member, full-time commission; defines community college trustees as legislative body, authorizes PERC to award costs and attorney fees to prevailing party in unfair labor practice charges; makes it unlawful to intimidate through picketing private residents of public officials; authorizes dues collection to commence upon certification of bargaining agent; provides for intervention by another employee organization showing at least 10 percent showing of interest; provides impasse to be declared on declaration of either party; makes Governor public employer for career service employees; prohibits preparation for strike or collection of funds for strike; defines "good faith bargaining"; provides for community college student government association and council of student body presidents to select representatives and to participate (but not vote) in relevant bargaining sessions; prevents full-time employees of public employer or labor organization to represent employees in any collective bargaining procedure (except in court) without being a lawyer.

9-32 Administrative Procedures (S.C.R. 42-B) Requires all state agencies submitting plans for federal funds to make sure the plans conform with state law before submission; also requires that the legislature be notified if plans are rejected by the federal government because federal law is in conflict with state law.

### Legislation Introduced But Not Enacted

9-33 Collective Bargaining/Dues Collection (H.B. 145) Would remove provision that cost of dues collection is subject for collective bargaining and provides that dues deductions begin on request after certification of the bargaining agent.

9-34 Breach of Public Trust (C.S.H.B. 241) Would provide for loss of benefits and all retirement rights for all public officials or employees found guilty or who pled nolo contendere to felony involving a breach of public trust, while in employment.

9-35 Tuition Waiver (H.B. 295) Would provide waiver of student fees at state community colleges and universities, until age 25, for children of police officers killed in line of duty.

9-36 Building Construction Program (H.B. 314) Would provide that excess funds of the Florida Construction Industry Licensing Board be allocated half to state universities and half to community colleges for courses and research dealing with building construction.

9-37 Sprinkler System (H.B. 340) Would require installation of sprinkler fire extinguisher system in all new buildings, including schools, four or more stories in height or with public capacity of 100 persons.

9-38 Fire Alarms (H.B. 341) Would require installation of automatic fire alarm system in all new buildings, including schools, four or more stories in height or with public capacity of 100 persons.

9-39 Retirement System (H.B. 438) To extend until November 30, 1977, deadline to transfer to Florida Retirement System, with transfer effective January 1, 1978, with Teacher Retirement System members retaining survivor benefits until December 31, 1980, or until earned under social security, with former employees returning to work permitted to stay under previous system and not required to join Florida Retirement System.

9-40 Retirement Benefits (H.B. 563) To provide increase in benefits for retirees over 65 years of age or who reach 65 between June 30, 1977 and July 1, 1978, or to surviving spouse, based on increase of $1. per month for each year of creditable service up to 30 years.

9-41 Community College Council (H.B. 741) To expand State Community College Council from seven to ten members. All must be community college trustees at time of appointment.

9-42 Window Requirements (H.B. 799) To require all public buildings, including schools, to provide adequate number of windows to be opened for natural ventilation and cooling.

9-43 Unemployment Compensation Payment (H.B. 861) To require that employers using reimbursement payments in unemployment compensation program be notified by the Division of Security of the Department of Commerce before any benefits are paid to a former employee.

9-44 Open Meetings–Suits (H.B. 1107) To require a public agency to pay attorney's fees if successful action brought against it for violation of open meetings requirement; provides for payment of attorney's fees by plaintiff if court finds suit filed in bad faith; prohibits public meetings to be held at facility operated by persons who discriminate on basis of sex, age, race, creed, color, origin, or economic status; provides for no assessment of costs to board if it acted on advice of attorney; authorizes a public board to pay a member's legal fees if he is found innocent of violating public meetings law; permits a board to meet in private with attorney on litigation matters but requires board to tape record the private session and provide a verbatim transcript after the meeting. (Vetoed by the Governor.)

9-45 Public Inspection of Records (H.B. 1295) To require all persons in charge of public records to permit public inspection of records free of charge.

9-46 Personnel Records (H.B. 1631) To require State Board of Education to adopt rules dealing with the contents of personnel records and permits community college presidents to release records.

9-47 Contractor Preference (H.B. 1721) To provide that in competitive bidding by all governmental agencies that a Florida contractor receive the same preference as an out-of-state contractor who is bidding on the project receives in his state.

9-48 Retirement Benefits (H.B. 2271) To increase minimum monthly benefit for retirees over age 65 and covered by social security to $10 times number of years of service, for retirees not covered by social security to $12 times years of service, with benefits adjusted to retirement option takers.

9-49 Collective Bargaining (H.J.R. 283) Would propose a constitutional amendment removing right of public employees to bargain collectively.

9-50 Funding Formula (S.B. 24-A) To provide new formula for distribution of state funds based on D.O.E. estimate of enrollments and financial need, subtracting non-state revenue, with specific funding factor formula including fixed and variable costs geared to institution size, with .5 of one percent earmarked for emergency situations.

9-51 Retirement (S.B. 84) To remove requirement that members under Teacher Retirement System retire at age 70; provides increase in benefits for retirees over 65 based on increase of $1. per month per year of creditable service up to 30 years, financed by added .2 percent employer contribution; benefits not to apply to retirees receiving social security benefits under state retirement plan or benefits over $8000/year or $10,000 under option #1. (Vetoed by the Governor.)

9-52 Tuition Waiver (C.S.S.B. 145) Would direct Board of Regents and community college trustees to establish regulations to permit Florida residents over the age of 60 who have resided in Florida for four years to attend community college and university classes without tuition or fees if space is available. Credit hours so generated will not count in FTE computation.

9-53 Legal Assistance (S.B. 1095) To provide that all public officers or employees may receive legal assistance from Department of Legal Affairs if sued in federal court for action taken while in line of duty. (Vetoed by the Governor.)

9-54 Curricula Screening Committee (S.B. 1230) To require prior legislative approval before any four-year institution in the State University System can be merged with another state institution. Also requires the Board of Regents of the State University System and the Board of Trustees of each community college to establish rules to create nine-member faculty screening committees to review films and course curricula to determine compliance with community standards on poronography if such standards exist. (Vetoed by the Governor.)

9-55 Information Access (S.B. 1326) Exempts audit reports from limitations of access to personnel records at community colleges and universities.

9-56 Financial Disclosure (S.B. 1454) Implements Sunshine Amendment on financial disclosure, providing "two-tier" reporting with elected officials, state officers, and specified employees annually filing copies of income tax reports or list of all sources of income over $1000, report of net worth, lists of all assets and debts over $1000; with non-elected local officials (including community college trustees) filing limited disclosure consisting of all sources of income over $1000 and sources of business income over ten percent of total income, list of homes and other assets. (Vetoed by the Governor.)

## GEORGIA (10)

### Legislation Introduced But Not Enacted

10-1 Alien Employment (H.B. 211) To make it unlawful for any person to knowingly employ an alien who has not been lawfully admitted to the United States as an immigrant for permanent residence, unless the employment of a nonimmigrant alien is authorized by the U.S. Immigration and Naturalization Service.

10-2 Retirement Regulations (H.B. 214) To amend the Teachers' Retirement System Act so as to authorize a surviving husband or wife to choose either a refund of the deceased member's contributions and interest or a monthly benefit in the event the member in service has not named a beneficiary prior to his/her death.

10-3 Retirement Benefits (H.B. 215) To amend the Teachers' System Act so as to change the provisions relative to retirement allowances for persons who have retired with 35 or more years of creditable service.

10-4 Garnishment of Salaries (H.B. 289) To authorize garnishment of salaries of state employees except where the garnishment arises out of the liability incurred in performance of duties as state employees. This Bill makes the State a "private person" for the purpose of allowing garnishment to be served against the State.

10-5 Maintenance Employees Retirement (H.B. 310) To bring the custodial and maintenance employees in the University System under the Teachers' Retirement System. Persons employed prior to July 1, 1978, may elect not to come under the System. Does not become effective until funded by the General Assembly.

10-6 Federal Program Participation Approval (H.B. 324) To require State agencies to receive approval from the Fiscal Affairs Subcommittees of the House and Senate before expending public funds to assume certain federal programs. The term "federal program" means a facility which is operated in whole or in part with federal funds.

10-7 Police Officers (H.B. 594) To amend the Georgia Peace Officer Standards and Training Act (POST) by providing for qualification of aliens under certain circumstances.

10-8 Police Officers (H.B. 596) To amend the Georgia Peace Officer Standards and Training Act by providing for the development, adoption, modification and administration of examinations for peace officer candidates employed by law enforcement units. (Includes University System security personnel.)

10-9 Campus Police Registration (H.B. 597) To amend the Georgia Peace Officer Standards and Training Act to provide for the registration of previously exempt peace officers. Campus police who were exempted from the requirements of POST because they were already employed at the time the University System came under the Act are now required to register under the terms of this Bill.

10-10 Peace Officers (H.B. 598) To amend the Georgia Peace Officer Standards and Training Act to clarify and define the function of the Peace Officer Standards and Training Council relative to peace officer training.

10-11 Practical Nurse Certification (H.B. 697) Would completely revise the laws governing the licensing of practical nurses.

10-12 Student Loans (H.B. 759) To amend the Act creating the Georgia Higher Education Assistance Corporation so as to authorize the guarantee of student loans without regard to residency of the student borrower.

10-13 Student Aid (H.B. 760) To amend the Act creating the Georgia Higher Education Assistance Authority by extending the State student incentive grant or scholarship program to eligible students attending approved non-profit institutions of higher education located in Georgia which are approved by the federal government.

10-14 Thermal Efficiency (H.B. 823) To authorize and direct the State Building Administrative Board to develop statewide standards to achieve thermal efficiency in new and renovated buildings and lighting efficiency in public buildings.

10-15 Coordination (H.R. 121) To designate the Board of Regents as the coordinating agency of educational activities to encourage the development and expansion of the small business sector of the economy of the State of Georgia.

10-16 Outside Faculty Activity (H.R. 422) Would urge the Board of Regents to adopt regulations requiring faculty members to report services performed "outside their responsibilities as faculty members" if such services are related to their positions as faculty members and if consulting fees or other compensation is received.

10-17 Retirement (S.B. 23) To amend the Teachers' Retirement System Act by authorizing an increase in retirement benefits when the formula is changed to cause an increase in retirement benefits.

10-18 Board Member Compensation (S.B. 92) To change the provisions relative to compensation of members of the Board of Regents and the State Board of Education; increases the maximum number of days (30 to 60) for which such members may receive per diem and expenses.

10-19 Retirement Benefits (S.B. 101) To amend the Teachers' Retirement System so as to change the language relating to specific amounts of interest to the "applicable accrued regular interest."

10-20 Retirement Benefits (S.B. 109) To amend the Teachers' Retirement System so as to provide that certain retired members may elect, after divorce, to revoke previously exercised election for an optional retirement allowance.

10-21 Employee Political Activity (S.B. 168) To make it unlawful for any state employee to coerce any other state employee to contribute anything of value to any party, committee, organization, agency or person for political purposes.

10-22 Unemployment Compensation (S.B. 202) To amend the Unemployment Compensation Act so as to provide certain transitional unemployment coverages; provides coverage for agricultural workers, domestic workers, and services performed for state and local governments.

10-23 Education Commission of the States (S.B. 213) To provide that the State of Georgia will be a party to the Compact for Education and creates the Education Commission of the States. Purpose is to establish cooperation and understanding between executive, legislative, professional, educational lay leadership on a nation-wide basis and to provide a forum for the discussion of public policy alternatives in the field of education. The Chancellor of the University System is named as an exofficio member of the Commission for Georgia.

10-24 Administrative Procedures (S.B. 246) To amend the Act requiring nonprofit contractors doing business with the State to file certain reports by exempting educational institutions of higher learning located in Georgia and accredited by the Southern Association of Colleges and Schools.

10-25 Liability Insurance (S.B. 279) To authorize purchase of liability insurance or contracts of indemnity or the formulation of sound programs of self-insurance for state agencies, including the Board of Regents.

10-26 Smoking Prohibition (S.B. 330) To prohibit smoking in hospitals or health care facilities except in a private room, administrative office or smoking lounge.

## HAWAII (11)

### Legislation Enacted

11-1 Appropriation (Act 10) General Appropriation Act of 1977 (includes appropriation for community colleges). General operating–$21,418,127; capital projects–$2,945,000; Community College Systemwide Support–$4,076,925. Supplemental Appropriation funds: (1) $102,406 for continued operations of the allied health programs at Kapiolani Community College; (2) $140,000 for the vocational-technical education program at Leeward Community College; (3) $34,000 for additional instructional positions for the agricultural program at Maui Community College; (4) $33,920 for a financial aids-job placement counselor at Kauai Community College; (5) $32,000 for the Kalihi-Palama Education Center; (6) $145,000 for the additional utility and other expenses related to the relocation of Kauai Community College; (7) $25,000 for consultant services for the agriculture technology program at Winward Community College; (3) $36,000 for the State Senior Center at Kalihi-Palama.

## IDAHO (12)

### Legislation Enacted

12-1 Longevity Pay (H.B. 41) For purposes of longevity payments, credits employees of former junior college districts which have become state colleges or state universities with one year's service with the state for each year's employment with a junior college district regardless of the time of that employment.

12-2 Appropriations (H.B. 300) Appropriates $3,176,400 to the state's two junior colleges and $60,980,500 to the state universities and colleges for 1977-78.

12-3 Tuition Increases (S.B. 1187) Increases the minimum annual tuition at junior colleges from $62.50 to $125 and increases the maximum tuition to $200. Limits annual tuition increments to $25 per year.

12-4 Fund Allocation (S.B. 1188) Repeals Section 33-2140, Idaho Code, which required that the state junior college fund be allocated to qualifying junior college districts in the ratio that the "average full-time student enrollment" of such qualifying districts bore to the total "average full-time student enrollment of all qualifying districts.

## ILLINOIS (13)

### Legislation Enacted

13-1 Credit Hour Grant Rates (H.B. 2–Special Session) Establishes rates for credit hour grants to community colleges by the Illinois Community College Board for certain instructional categories, including an additional $1.73 per credit hour for each such category in fiscal year 1978 only. Also authorizes the Community College Board to make special grants for enrollment growth, equalization, and disadvantaged student programs.

13-2 Capital Funds (H.B. 6–Second Special Session) Increases Capital Development Board Bonding Authority for projects covered in H.B. 2481. Provides an additional $14.2 million for community college projects.

13-3 Residency Requirement (H.B. 112) Permits residency requirement for employment by a community college district after July 1, 1977.

13-4 Retirement Benefits (H.B. 468) Provides reduction in retirement annuity prior to age sixty. This does not apply to disabled participants, however, and alters what may be considered as earnings.

13-5 Retirement Benefits (H.B. 469) Amends University Retirement Article by providing minimum monthly survivor annuity based on annuity payable at death rather than at retirement.

13-6 Retirement Benefits (H.B. 471) Amends University Retirement Article by setting maximum retirement allowance at 75 percent of average earning during four highest consecutive years instead of current sliding scale.

13-7 Retirement System (H.B. 472) Amends University Retirement Article by revising structure of system's board of trustees.

13-8 Retirement Benefits (H.B. 473) Amends University Retirement Article by providing that employer contributions to the system shall at least equal the total accruing normal costs plus interest on the unfunded accrued liabilities.

13-9 Student Board Members (H.B. 679) Provides that the non-voting student members of all boards for higher education (including community colleges) have the full right of membership except the right to vote. It also changes the beginning date of student board members at the community college level to April 15 and removes the Superintendent of Public Instruction from the Board of Trustees of the University of Illinois.

13-10 Adult Education Funding (H.B. 685) Permits payments for adult education for adults and certain youth to be made solely from the appropriation to the State Board of Education and eliminates reimbursement to the SBE for such payments from the Department of Public Aid.

13-11 High School Equivalency (H.B. 686) Reduces age qualification for taking high school level test of General Educational Development from 19 to 18 years provided that applicant's high school class has graduated.

13-12 Retirement (H.B. 830) Permits 228 employees of 1972-73 to obtain credit for other public service.

13-13 Appropriation–Retirement (H.B. 1106) Appropriates $1,649,000 to State Universities Retirement System for fiscal 1978.

13-14 Tax Levy—Supplemental Budget (H.B. 1415) Requires community colleges to certify the amount of tax levy necessary to cover an additional or supplemental budget adopted by the local board of trustees by the last Tuesday in December. Also, requires community colleges to certify the issuance of bonds and amount of tax levy necessary to retire such bonds no later than December 31 of the year in which the election authorizing the issuance of bonds is held.

13-15 Chargeback Tax (H.B. 1508) Permits a secondary school district that is not part of a community college district to levy an additional tax through 1977 to cover the tuition of any residents who attend a community college (chargeback tax). A school district may only do this, however, if it filed a petition to create a new or annex to an existing community college district by August 30, 1976.

13-16 Federal Funds (H.B. 1557) Authorizes the Illinois Community College Board to receive, spend, and administer funds and other aid from the federal government or other public or private agencies.

13-17 Energy Plan (H.B. 1749) Requires Board of Higher Education to establish a comprehensive energy plan and submit appropriate legislation proposals by March 1, 1978.

13-18 Energy Resources Commission (H.B. 2310) Authorizes Illinois Energy Resources Commission to accept gifts, grants, and other forms of assistance from any source when made for energy related purposes.

13-19 Capital Projects (H.B. 2325) Appropriates $275,000 for roof repairs at John A. Logan Community College.

13-20 Federal Funds (H.B. 2345) Requires state agencies to report all federally received funds to the Commission on Intergovernmental Cooperation.

13-21 Bonding Authority (H.B. 2347) Increases bonding authority for new capital projects for the Capital Development Board including bonding authority for some community college projects.

13-22 Appropriations (H.B. 2417) Appropriates $128,511,910 in operating funds for the Illinois Public Community Colleges.

13-23 Civil Defense (S.B. 349) Requires community colleges to cooperate with the Emergency Services and Disaster Agency in all matters relating to Civil Defense.

13-24 Governance (S.B. 380) Amends the Public Community College Act of 1965 by changing the governance of the state experimental community college in East St. Louis from the Illinois Community College Board to a new, separate board of trustees. The Board will consist of seven members appointed by the Governor with the advice and consent of the Senate and one non-voting student member. All seven voting members must be residents of the SCC district. In addition, the Illinois Community College Board will be required to prepare a report for the General Assembly on the status of the college by January 1, 1982.

13-25 MIS (S.B. 479) Appropriates $28,999,108 to Board of Higher Education for a computerized management information system.

13-26 Finance (S.B. 493) Provides an additional alternative assessment procedure applicable to farms based on a formula derived from farm production and average sale price of farmland.

13-27 Capital Projects (S.B. 495) Provides for the reappropriation of $414,679,099 to the Capital Development Board for permanent improvements, grants, and related projects including $37,492,240 for twenty-four continuing community college construction projects.

13-28 Capital Funds (S.B. 496) Appropriates $103,508,130 to the Capital Development Board for permanent improvements, grants and related purposes for FY 1978 including $8,770,630 for twelve new community college construction projects and reimbursements.

13-29 Retirement Contribution (S.B. 543) Appropriates $54,606,700 to higher education system and agencies for employer contributions to the University Retirement System.

13-30 Capital Projects (S.B. 606) Permits the local community college boards, with ICCB approval, to choose the site upon which a building or campus may be built.

13-31 Elections (S.B. 1149) Prescribes a master schedule of all elections. Sets five days on which they shall be held every two years. Eliminates three year terms for trustees and changes elections from April to November. Also restricts dates for special referenda. This law incorporates all existing laws setting forth elections of any kind.

13-32 Absentee Voting (S.B. 1162) Makes eight technical changes in the regulations and procedures concerning community college absentee voting.

13-33 Retirement (S.B. 1208) Permits participants to contribute to the retirement systems while on leave of absence.

13-34 Retirement (S.B. 1297) Extends benefits to survivors of participants who retired prior to 1959 but who die after July 1, 1977.

13-35 Remedial Courses (S.B. 180) Requires Board of Higher Education to compile data as to need for remedial courses and their costs by September 1, 1977.

### Legislation Introduced But Not Enacted

13-36 Collective Bargaining (H.B. 2) To create a state labor relations board to supervise labor elections pertaining to public employee labor organizations, and to hear complaints and investigate charges of unfair labor practices arising between public employers and public employees.

13-37 Credit Hour Grant (H.B. 7—Special Session) To raise credit hour grants from a mimumum of $17.61 to a minimum of $18.90.

13-38 Finance (H.B. 9—Special Session) To amend Public Community College Act section on reimbursement claims. To add provisions relating to special grants for equalization and for disadvantaged student programs.

13-39 Credit Hour Grant Rates (H.B. 10—Special Session) To establish rates for credit hour grants to community colleges by the Illinois Community College Board for certain instructional categories, including an additional $1.73 per credit hour for each such category in fiscal year 1978 only, and to authorize the Community College Board to make special grants for enrollment growth, equalization, and disadvantaged student programs.

13-40 Collective Bargaining (H.B. 19) To create an act relating to right of teachers and other educational workers to join unions.

13-41 Residency Requirement (H.B. 155) To define "Illinois resident" for purpose of determining tuition at state supported colleges and universities.

13-42 Student Board Members (H.B. 319) To amend various acts to provide for voting student members on the governing boards of state colleges and universities.

13-43 Employment Discrimination (H.B. 575) To prohibit discrimination on the basis of sexual orientation in employment at public universities and community colleges.

13-44 Adult Education Reimbursement (H.B. 692) To amend Adult Education Act to increase reimbursement from $3.50 to $6.00 for each 40-minute period of instruction and provides for alternative reimbursements on estimated claim basis. (Vetoed by the Governor.)

13-45 Spending Prohibition (H.B. 784) To prohibit spending in violation of Illinois Fair Employment Practices Commission and U.S. Equal Employment Opportunity Commission.

13-46 Collective Bargaining (H.B. 869) To establish the right of public school and higher education employees to organize and bargain collectively, to define and resolve unfair practice disputes, and to establish the Education Employment Relations Board to administer the Act.

13-47 Board Membership (H.B. 941) To amend the Act creating a Board of Higher Education by deleting the State Superintendent of Public Instruction as a member and adding the chairperson of the organization representing independent colleges and universities. Also provides for a college information system. (Vetoed by the Governor.)

13-48 Scholarships (H.B. 945) To provide that monetary scholarships shall be given to students on a 12-month basis if the institution requires such attendance. (Vetoed by the Governor.)

13-49 Scholarships (H.B. 1073) To repeal provisions for General Assembly scholarships effective January 1, 1979.

13-50 Fiscal Notes (H.B. 1268) To amend Fiscal Note Act to require fiscal notes for bills which have fiscal impacts on local governments, school districts and community college districts.

13-51 Student Aid (H.B. 1277) To amend sections and title of matching Grants for University Scholarships Act by expanding program to include two-year institutions and non-public, non-profit institutions.

13-52 Architect and Engineer Selection (H.B. 1384) To require community colleges and common school districts to select architects and engineers with the approval of the Capital Development Board.

13-53 Tax Rates (H.B. 1442) To authorize community college boards to increase operating tax rates by not more than .175 percent for educational purposes, not more than .05 percent for building and site purposes, and not more than .01 percent for adult education and public service activities without holding a referendum. However, a referendum must be held for the .175 percent tax rate increase for the educational fund and for the .05 percent tax increase for the building fund if after the public announcement of the tax increase, ten percent of the district's voters request one.

13-54 Credit Hour Grant (H.B. 1471) To raise credit hour grant for community colleges from a minimum of $17.61 to $24.

13-55 Tax Levy (H.B. 1519) To authorize any unit of local government, including school districts, to levy taxes and issue bonds to cover its obligations for costs of unemployment insurance benefits unless the Federal Unemployment Compensation Amendments of 1976 are held unconstitutional.

13-56 Statewide Incorporation (H.B. 1524) To require that all territory in the state be incorporated into either an existing or a new community college district by January 1, 1978. (Vetoed by the Governor.)

13-57 Unemployment Compensation (H.B. 1917) To provide unemployment compensation coverage for employees of units of local government and school districts unless the federal unemployment compensation amendments of 1976 are held unconstitutional.

13-58 Trustee Elections (H.B. 1978) To consolidate the election schedules for trustees of public schools, community colleges, and the University of Illinois by requiring that a member of the appropriate board be elected at each nonpartisan election to succeed each elected incumbent member of the board whose terms expires before the following nonpartisan election. (Vetoed by the Governor.)

13-59 Finance (H.B. 2064) To provide for a referendum in 1978 General Election on financing of community colleges and public schools.

13-60 Adult Education Act (H.B. 2084) To create an Adult Education Act and amend School Code to delete maximum age limit for attendance at elementary and secondary schools.

13-61 Employee Dismissal (H.B. 2203) To require motions by majority of a community college board in order for the institution to dismiss an employee.

13-62 Faculty Dismissal (H.B. 2204) To require a community college to hold a hearing when any teacher with two or more years of experience is dismissed for cause.

13-63 Collective Bargaining (H.B. 2205) To provide that school boards may enter into collective bargaining agreements for a period of up to three years.

13-64 Federal Funds (H.B. 2338) To require federal funds to be appropriated. (Vetoed by the Governor.)

13-65 Capital Funds (H.B. 2481) To provide appropriations of $7,500,000 to the Capital Development Board for land acquisition for Phase I at Loop College and $6,800,000 for construction of a vocational-technical building, utilities, and site improvements for Triton College.

13-66 Credit Hour Grant Rates (S.B. 8–Special Session) Would authorize the Illinois Community College Board to make credit hour grants to community colleges in accordance with rates for specific categories of instruction, including an additional $1.73 per credit hour for fiscal year 1978 only. To provide for special grants for enrollment growth, equalization, and disadvantaged student programs; to require the Community College Board to establish formulas for the distribution of other special grants appropriated by the General Assembly.

13-67 Finance (S.B. 19–Special Session) To amend the Public Community College Act section on reimbursement claims. Adds provisions relating to special grants for equalization and for disadvantaged student programs.

13-68 Scholarships (S.B. 221) To amend the School Code. To permit General Assembly scholarships to be used at community colleges as now permitted at state supported universities.

13-69 Appropriation (S.B. 489) To provide $133,664,011 for community colleges. Changes from previous years to be noted: (1) the distribution of all grants (except disadvantaged student grants less than $100,000) to be on a quarterly basis with the fourth quarter payment to be reduced initially to allow for reconciliation of apportionment claims with initial estimates, (2) credit hour grant funding for any enrollment growth beyond FY 77 levels reduced to 70 percent of established formula rates.

13-70 Construction (S.B. 607) To provide for district board selection of architects and engineers, and of priorities for construction of capital projects in school and community college districts. (Vetoed by the Governor.)

13-71 Bonding Authority Increase (S.B. 328) To amend Capital Development Bond Act by increasing bonding authority by $105,931,609, to add category in Act for food production research facilities, and to change amounts for other bond use categories.

13-72 Funding Formulas (S.B. 830) To amend the Illinois Public Community College Act of 1965 to provide for the establishment of formulas for distribution of grants by the ICCB rather than including the formula rates each year in the appropriation bill. Also, to provide for quarterly payment of grants with an adjustment during the fourth quarter after reconciliation of claims with previous ICCB estimates.

13-73 Capital Improvements (S.B. 1046) To appropriate $250,000 from Capital Development Fund to repair roof at John A. Logan College.

## IOWA (15)

### Legislation Enacted

15-1 Unemployment Compensation (H.F. 595) Provides that those employed in an instructional, research, or administrative capacity in an institution of higher education shall be denied unemployment benefits for vacation periods, the time between terms, and between academic years if there is reasonable assurance that the individual will resume his duties after the institutional recess.

15-2 Capital Construction (H.F. 622) Appropriates $500,000 in each of next three fiscal years for capital construction at the Dubuque Campus of Merged Area I.

15-3 Appropriation (S.F. 214) Appropriates funds for all of higher education including $42,604,000 for merged area schools (i.e., community colleges) FY 1978.

15-4 Collective Bargaining Ballot (S.F. 393) Amends the collective bargaining statutes by eliminating the double ballot for collective bargaining elections and replacing it with one ballot listing the alternatives of no representative and the one or more qualified employee organizations; provides that an employee organization receiving a majority of votes cast will represent the employees; provides for one-year as opposed to two-year collective bargaining contracts in certain cases.

## LOUISIANA (18)

### Legislation Enacted

18-1 Appropriation (H.B. 220) (Act 18) Appropriates funds for the general operations of state government. The $2.7 billion in state and federal funds includes funding colleges at a minimum 85 percent level of implementation under the *Formula*. Five universities will receive no new formula funds.

18-2 Coordination (H.B. 750) (Act 83) Reorganizes state government. Includes transferring all higher education boards into the Department of Education and creating the Governor's Special Commission on Education Services. The Commission will absorb all powers, duties and responsibilities of the T. H. Harris Scholarship Foundation and the Louisiana Higher Education Assistance Commission. The Commission will be composed of eleven members to consist of the executive secretary to the Governor, who shall serve as ex officio chairman; the Superintendent of Education; the chairmen of the five education boards or their designees; and four persons, one each to be selected by the membership of the four higher education boards.

18-3 Capital Funds (H.B. 1207) (Act 327) Establishes a comprehensive, five-year capital improvements program for the state and authorizes the sale of up to $1.2 billion of general obligation bonds to pay for it. For higher education, the bill authorizes $82 million in new projects and $63 million in reauthorizations of 1976 and earlier projects.

18-4 Capital Funds (H.B. 1208) (Act 328) Appropriates $747.26 million for capital outlay projects. Included in the bill for the state colleges and universities are $9.3 million in cash projects and $75 million in appropriations of bond revenues stemming from H.B. 1207.

18-5 Capital Projects (S.B. 172) (Act 439) Excludes from the capital outlay budget minor repairs and construction costing less than $100,000 by a state college or university, subject to the approval of the Board of Regents and the appropriate management board.

18-6 Financial Aid Administrators (S.B. 636) (Act 228) Authorizes the Louisiana Higher Education Assistance Commission to implement a program to train financial aid administrators.

### Legislation Introduced But Not Enacted

18-7 Student Fees (H.B. 1183) To levy a ten dollar annual fee on students attending colleges and universities for their use of buses of the public school system. The state subsidizes bus use by providing $1.6 million to the public school districts.

## MARYLAND (20)

### Legislation Enacted

20-1 Higher Education Reserve Account Bill (H.B. 148) Authorizes public institutions of higher education to maintain reserve accounts for certain purposes and subject to certain limitations.

20-2 Trustee Selection (H.B. 939) Rectifies omission in 1976 governance legislation by providing for a seven-member board for each community college with members being appointed by the Governor to serve six-year terms; also provides for the Governor to fill board vacancies and for the board to select its own chairman.

20-3 Bond Reduction (H.B. 1178) Reduces the bond authorization initially provided in the "General Public Regional Community College Construction Loans of 1965 and 1969" by $2,600,000 as part of a revised state capital fund management program.

20-4 Credit Cards (H.B. 1519) Allows all public institutions of higher education to accept payment by credit card for tuition, mandatory fees, housing, board, and other related educational fees. Each board of trustees will determine which credit cards will be accepted. In addition, each institution accepting credit cards must charge a fee to those using credit cards sufficient to cover the vendor discount or similar fee charged to the institution by the credit card company.

20-5 Appropriation (S.B. 277) Provides $46,312,448 for the state community colleges.

20-6 Funding Formula (S.B. 353) Changes the financing of community colleges by increasing the maximum base level of state support from $700 to $800 per FTE for most community colleges and from $1100 to $1250 per FTE for small and regional community colleges; provides for a systemwide projection of FTE's by the State Board of Community Colleges on which the state's financial contribution will be based; requires the State Board to submit a request for funds based on FTE projection and funding formula to the Governor no later than October 10 except that February 10 may be used for additional funds to be included in any supplemental budget request; allows local boards to set student fees and charges above those provided for in the funding formula; makes enactment of this legislation contingent on the passage of the Governor's proposed revenue package.

**20-7 Sunshine Bill (S.B. 495) Requires open meetings of public bodies.**

**20-8 Student Loans (S.B. 801) New student loan program. (Only information available.)**

**20-9 Collective Bargaining (S.B. 886) Allows noncertified (classified) personnel of the Baltimore County Community Colleges to organize and bargain collectively; requires the Board of Trustees to establish appropriate rules and procedures for the collective bargaining of non-certified employees including the method of electing a bargaining agent, the right of the employer, the employee, and the bargaining unit, negotiation and resolution of impasse procedures, procedures for collecting dues, the definitions of unfair labor practice, the methods of resolving grievances, the use of binding arbitration; and states that this does not authorize a strike.**

**20-10 Student Aid (S.B. 905) Increase in aid to private colleges.**

**20-11 Unemployment Compensation (S.B. 926) Conforms the State Unemployment Law to new federal provisions extending unemployment coverage to higher education personnel. Colleges will not be liable for claims before FY 1979.**

## Legislation Introduced But Not Enacted

**20-12 National Guard Scholarships (H.B. 115) To provide scholarships for National Guardsmen who have completed half their tour of duty.**

**20-13 Veterans Tuition Reduction (H.B. 116) To provide a 25 percent reduction in tuition for Maryland resident veterans at all public postsecondary institutions.**

**20-14 Retirement System (H.B. 147) To increase number of trustees on the board of the Teachers' Retirement System by adding a member of the general public and a member of a local school board.**

**20-15 Obsolete Information Removal (H.B. 226) To remove obsolete reference to a list of approved postsecondary institutions formerly published by the State Department of Education.**

**20-16 Student Records (H.B. 241) To require deposit of certain student records if an approved institution ceases to operate.**

**20-17 Financial Assistance Program (H.B. 373) To establish a new program of student financial assistance to replace the existing programs of Senatorial Scholarships, House of Delegates Scholarships, General Scholarships, and teacher education waivers.**

**20-18 Teacher Education Centers (H.B. 382) To establish four regional teacher education centers.**

**20-19 Retirement System (H.B. 402) To add an attorney and an accountant to both retirement boards.**

**20-20 Data Processing (H.B. 459) To establish a state data processing organization for state agencies.**

**20-21 Computing Consortium (H.B. 460) To establish a mandatory Maryland Educational Computing Consortium to coordinate college data processing.**

**20-22 Hearing Aid Dealers (H.B. 491) To require continuing education for hearing aid dealers.**

**20-23 Podiatrists (H.B. 503) To require continuing education for podiatrists.**

**20-24 Documents Law (H.B. 509) To extend requirements of State Documents Law (publication notice, hearings, etc.) to rules of state-level boards and commissions.**

**20-25 Student Board Membership (H.B. 532) To establish qualifications and manner of removal of student members on the State Board for Community Colleges, the State Board of Trustees, and Board of Regents of the University of Maryland.**

**20-26 Trustee Increase (H.B. 555) To increase the Board of Trustees of Prince George's Community College to eight members and reduce the term of office for board members from six to four years.**

**20-27 Open Meetings (H.B. 556) To require all of Prince George's County agencies and institutions to hold open meetings.**

20-28 Scholarships (H.B. 557) To extend the Emminent Scholar Program to include nonpublic institutions.

20-29 Audits (H.B. 572) To authorize the Legislative Auditor to conduct annual rather than biennial audits at his option; costs to be borne by agency audited.

20-30 Legislative Review (H.B. 574) To extend the time period from 45 to 60 days for legislature to overrule proposed agency rules and establishes new mechanisms for review.

20-31 False Statements (H.B. 576) To prohibit persons from making false statements to state or local agencies and departments and provides a penalty for those who do.

20-32 Part-time Employee Benefits (H.B. 894) To require institutions of higher education to provide nonfaculty part-time employees and part-time faculty employees with the same privileges, benefits, and salaries or wages (on a proportional basis) as equivalent full-time employees.

20-33 Construction Coordination (H.B. 934) To provide that the Department of State Planning will coordinate and integrate the locality plans, programs, and projects of all state agencies.

20-34 Sunshine Bill (H.B. 988) To require the meetings of public bodies to be open to the public except in certain instances; to require advance notice of such meetings, to require the keeping of minutes for such meetings, to authorize certain actions to avoid decisions or actions of public bodies which violate the "open meetings" requirements; and to provide sanction for members of public bodies who violate the "open meetings" requirement.

20-35 Construction (H.B. 999) To require the submission of all proposed rules affecting school construction to the General Assembly for approval.

20-36 Energy Plan (H.B. 1009) To require the Department of General Services to develop rules, regulations, and evaluation procedures to determine the best possible energy use system for all new buildings financed by the state in order to insure the efficient use of energy.

20-37 Required History Courses (H.B. 1429) To require the State Board of Education and the State Board for Higher Education to require that medieval and modern history are taught in the public schools and in all higher educational institutions.

20-38 Torts (H.B. 1581) To require that a governmental entity be liable for its torts and those of its public officers and employees acting within the scope of their authority; institutes a presumption in favor of the governmental entity and places the burden of proof on the plaintiff; requires cases to be tried under the same laws that apply to private persons; requires the government entity to make a preliminary investigation to determine if the public employee acted appropriately; defines under what conditions the government entity retains immunity; requires the government entity to provide legal assistance and/or funding; provides a monetary limit of $100,000 per occurrence; permits government entities to purchase liability insurance, and prohibits punitive damages.

20-39 Collective Bargaining (H.B. 1607) To create a Public Employee Labor Relations Board; to grant public employees the right to join or not join employee organizations, to be represented by an exclusive representative, to engage in collective bargaining activities with public employers through their representatives; to require public employees and employee organizations to negotiate in good faith; to require certain terms to be included in negotiated agreements including "no strike" and "no lockout" clauses; to prohibit certain unfair labor practices; to provide procedures to dispose of violations; to provide procedures for determining and certifying a bargaining unit; to grant certain rights to representatives of bargaining units; to provide for mediation and arbitration; to prohibit strikes except under certain circumstances; to provide for venue and jurisdiction of actions; and to provide for the maintenance of records and reports.

20-40 Collective Bargaining (H.B. 1923) To grant the Board of Trustees of the Baltimore County Community Colleges the power to promulgate and adopt rules and regulations to provide for collective bargaining by noncertified employees of the colleges through their own representatives; to authorize rules and regulations dealing with the establishment of bargaining units, selection of a representative, rights of the employer, the noncertified employee, and the employee organization, the negotiation procedure, the resolutions of impasse, the right to check off of union dues, designation of unfair labor practices, grievance and arbitration procedures, and the limitation of right to strike.

20-41 Collective Bargaining (H.B. 1999) To grant public employees in higher education the right to form and join organizations for collective bargaining purposes; to create the Maryland Public Employment Relations Board and establish its duties and authority; to provide for the determination of appropriate bargaining units and the naming of exclusive representation of bargaining units; to provide procedures for the resolution of impasse, grievances, and other disputes between public employees in higher education and public employers.

20-42 Audits (H.B. 2127) To require an annual audit of every community college. All audits to be submitted to the Legislative Auditor and community colleges are required to comply with the audit recommendation except under certain circumstances. The Legislative Auditor may perform any audit on his own initiative or the community college must engage a certified public accountant to perform the audit. The cost of an annual audit is the responsibility of each community college.

20-43 Study (H.J.R. 8) To request appropriate legislative committee to study the feasibility of adopting measures whereby colleges and universities would provide services to the legislature.

20-44 Coordination (H.J.R. 88) To request the State Board of Higher Education to develop and implement guidelines for reciprocal borrowing privileges for faculty members of books and other data sources among all institutions of higher education receiving fiscal support from the state. The State Board would also be directed to undertake periodic surveys of library deficiencies among public higher educational institutions in order to recommend measures to correct any deficiencies.

20-45 Collective Bargaining Task Force (H.J.R. 122) To extend H.J.R. 68 of 1976 through 1977. The resolution authorizes a "Task Force on Collective Bargaining for Public Employees" to consider whether collective bargaining rights should be extended to additional public employees and to make recommendations to the Legislative Policy Committee.

20-46 Safety Organization (S.B. 65) To coordinate fire rescue with police training activities in the State Board of Higher Education.

20-47 Records (S.B. 176) To permit state and local governments and agencies to maintain only that information about persons that is necessary and relevant to the accomplishment of the agency's purpose; to provide access to investigative, intelligence, and security records under certain circumstances; and to provide for judicial enforcement to insure freedom of information.

20-48 Out-of-State Student Restriction (S.B. 309) To prohibit community colleges, colleges, and universities within the state system from admitting more than 30 percent out-of-state students for each new class.

20-49 Tax Exemption (S.B. 724) To exempt public universities, colleges, and community colleges from the admissions and amusements tax if the gross receipts for admissions or refreshments for events held on campus accrue exclusively to the colleges.

20-50 Collective Bargaining (S.B. 725) To create a Public Employee Labor Relations Board; grants public employees the right to join or not join employee organizations; to be represented by an exclusive representative, and to engage in collective bargaining activities; to require public employers and employee organizations to negotiate in good faith; to require the inclusion of certain terms in all negotiated agreements including "no strike and no lockout" clauses; to define and prohibit unfair labor practices on the part of public employers and employee organizations; to provide procedures for disposing of violations; to provide for the determination and certification of the bargaining units; to provide for mediation and arbitration; to prohibit strikes except under certain circumstances; to provide for venue and jurisdiction of actions; and to provide for the maintenance of records.

20-51 Unemployment Compensation (S.B. 737) To prohibit individuals employed by educational institutions or agencies from collecting unemployment benefits during scheduled semester breaks, holidays, or time between terms.

20-52 Social Security (S.B. 788) To require local community colleges instead of the state to pay the costs of social security for their employees. In return, the state would pay each community college an additional $117 per FTE above all other state aid payments.

20-53 Training Programs (S.B. 810) To add local government training programs to those programs not considered institutions of postsecondary education.

20-54 Retirement Benefits (S.B. 815) To allow instructors who have ten years of teaching experience at a community college or four-year college level institution to participate in the State Employee's Retirement System.

20-55 Non-Academic Learning (S.J.R. 15) To request the State Board of Higher Education to recommend the most effective means for residents to earn college credit for non-academic learning and pursuits.

## MASSACHUSETTS (21)

### Legislation Enacted

21-1 Review of Postsecondary Education (S.N. 1684) Provides for a twenty-two member special commission to study the organization and structure of public higher education in the state. Matters to be reviewed include reorganization of the board of higher education, facilities, improving statewide oversight, coordination and planning, regulation of the memberships of the board of trustees of state colleges. Final report due end of March 1978.

21-2 Student Board Members (Chapter 95) Provides that a student shall be elected annually to serve on the advisory board of each regional community college.

21-3 Tuition Waiver (Chapter 915) Permits persons over sixty-five years of age to attend public postsecondary education institutions free of charge as long as the institution is not overenrolled and the individual's income is not in excess of $12,000.

21-4 Tuition Reduction (Chapter 972) Creates the Massachusetts National Guard Education Assistance Program to be administered by the board of higher education. Provides that national guardsmen enrolled in any state institution may be exempted from 50 percent of the matriculation fee and tuition.

### Legislation Introduced But Not Enacted

21-5 State Board (H.N. 57-56) To create a new Board of Overseers for Massachusetts Colleges and Universities to serve as a planning and coordinating body for public higher education and abolishes the old State Board of Higher Education. Board will have fifteen members—the secretary of educational affairs plus 14 citizens appointed by the Governor, none of which can be employed by a public higher educational institution—and may appoint a chancellor to serve as executive officer. Board's powers and responsibilities will include but not be limited to preparing a long-range plan for a coordinated system of public higher education while considering the following matters: Institutional missions, program quality, the need to eliminate unnecessary duplication, budgetary priorities, statewide education and manpower needs, impact of student fees, availability of financial aid, need to construct, consolidate or eliminate existing facilities; approving or disapproving programs and needs in accordance with its mission of planning and coordination; reviewing the budgetary requests of the various segments and submitting recommendations to the Governor and legislature; evaluating all aspects of higher education; developing a statewide tuition and student fee plan; maintaining the setting of minimum standards of academic proficiency; setting standards for equal opportunity; and administering the state scholarship program. Also, provides for three advisory commissioners to the board—one representing students, one representing faculty, and one representing trustees and executive officers.

21-6 Facility Rentals Permits the State Board to authorize a schedule of rents to be followed by community college presidents when renting their facilities to non-profit groups; funds received from such rents will be retained by each president in a revolving fund to be used for maintaining and improving facilities; these funds will be audited annually by the state auditor.

## MICHIGAN (22)

### Legislation Enacted

22-1 Appropriations (S.B. 210) General appropriations bill for community colleges. Appropriates $110,250,534 to community and junior colleges, provides a funding formula, requires each community college to annually submit enrollment reports based on a community college taxonomy outlined in the bill, requires each community college to submit an annual accounting of all income and expenditures to the legislature, prohibits community colleges from establishing new programs or expanding current ones if such action may lead to a future obligation on the part of the state to support, provides a mechanism to reduce expenditures for community colleges if the expected revenues are not high enough to meet previous appropriations, permits each community college to establish a general fund to pay tuition for senior citizens, requires legislative approval before a community college may enter into a joint facility use agreement with a baccalaureate institution, provides for retirement benefits for community college personnel, plus other provisions.

### Legislation Introduced But Not Enacted

22-2 Statewide Incorporation (S.B. 45) To provide for the annexation of all state territory into a community college district. Rearranges the boundaries of existing community college districts and creates five new districts with contractual authority only, and one new district without restrictions in order to provide equal access. Does permit a territory not previously part of a community college district to annex to a contiguous district instead of the one they were assigned if approved by the electorate within three years. Provides for the election of a board of trustees consisting of seven members elected at large on a non-partisan basis in each of the new districts. Members to be elected to six year staggered terms. Defines the community colleges as a postsecondary education institution that has charter authority. Defines role of community college by permitting community colleges to provide postsecondary education in liberal arts and general education, occupational education, as well as providing community service. Allows community colleges to contract with other agencies for any portion of their services and facilities. Allows all districts to utilize one of three tax levy alternatives: (1) a rate approved by a vote of the district prior to the change of boundaries until the next millage election, (2) a rate approved by the electorate in the future, (3) a rate of no more than one mill outside the 15 mill limitation without a vote, for operating purposes. Also provides for the transition of the four K-14 districts by allowing the new community college board to levy the rate previously levied by the K-14 district for the purposes of community college education.

## MINNESOTA (23)

### Legislation Enacted

23-1 Credit Transfer (H.F. 129) Encourages postsecondary institutions to give comparable credit for comparable work a student did at another postsecondary institution in the state. Directs the Higher Education Coordinating Board to encourage communications between institutions, to study the transfer of credits, and to report to the legislature during January 1978, with any recommendations.

23-2 Student Aid (H.F. 559) Increases the bonding and loan making authority of the Higher Education Coordinating Board to $125 million, removes the requirement that 50 percent of work-study allocations go to employ students off-campus, establishes a grant-in-aid program for part-time students and appropriates $750,000 for the program over two years.

23-3 Optometry Students (S.F. 615) Requires the Higher Education Co[illegible]ng Board to try to contract with schools of optometry for spaces for Minnesota students.

23-4 Appropriations Appropriates $688 million for higher education programs and the Department of Education. Specifies funds for aid to libraries, vocational-technical instruction, the Higher Education Board, the State University Board, the State Community College Board, the University of Minnesota and its hospitals, and the Mayo Medical School. Includes appropriations for state scholarships, grants-in-aid, loans and work-study programs. Calls for salary increases for community college and state university faculty of 7.91 percent the first year and 8.24 percent the second year and for the university faculty 7.9 percent and 8 percent for the two years. Also, establishes a consortium of institutions in Southwestern Minnesota to improve the efficiency and effectiveness of postsecondary education to meet the region's needs.

23-5 Technical Amendments Deletes obsolete cross-references in Minnesota Statutes relating to state community colleges and universities.

23-6 Innovative Programs Expands the purpose of the Council on Quality Education to include research and development and dispersement of information about innovative programs.

### Legislation Introduced But Not Enacted

23-7 Board Reorganization Would reorganize the Higher Education Board and give it authority to approve, disapprove, or modify the budgets of the postsecondary systems.

## MISSISSIPPI (24)

### Legislation Enacted

24-1 Financial Procedures (H.B. 609) Requires that transportation and freight costs be included in determining the lowest and best bid for school supplies and equipment.

24-2 Appropriations (H.B. 1374) Appropriates $21,475,728 in state funds together with $9,730,230 federal funds for support of secondary, postsecondary, and adult vocational educational programs. Estimated junior college program support is $9 million, plus some construction funds.

24-3 Capital Funds (H.B. 1399) Provides $70,000,000 in state revenue sharing funds for building construction, improvements, equipment, and major renovations. Junior colleges received $5,500,000 with equal dollar matching from non-state sources required and $500,000 for junior college vocational-technical facility fund. (Previous junior college appropriations (1974) required 25 percent matching of state general funds only.)

24-4 Investment of Surplus Funds (S.B. 2215) Permits investment of certain surplus school funds at daily interest. This removed the provision that funds not be needed during the succeeding three months before they could be invested. It also removes the requirements of purchasing time certificates and allows negotiation of rate of interest.

24-5 Personnel Benefits (S.B. 2240) Permits local governments and institutions to pay 100 percent of the cost of employee group insurance. It also increases certain limitations of the amount of coverage.

24-6 Manpower Management (S.B. 2675) Requires Boards of Trustees of State Institutions of Higher Learning (Universities) to develop a system of manpower management and reporting. (Although junior colleges are not covered by this statute, it was the consensus that junior colleges would voluntarily develop a similar system.

24-7 Building Renovation Amends three previous appropriation measures to include major renovations of existing buildings as a purpose of expenditure of funds appropriated for the construction of buildings and improvements of public junior colleges.

24-8 Appropriation (S.B. 3015) Appropriates Manpower Training Support funds in the amount of $1,012,479 state funds and $2,831,242 other funds for vocational training for unemployed and under-employed adults. Junior colleges operate many of these training programs.

24-9 Appropriation (S.B. 3086) Appropriates $90,579 to the Division of Junior Colleges for defraying administrative expenses for FY 1978. This increase of 11.54 percent over FY 1977 will provide salary increases of 8 percent to current positions and meet other increased costs to maintain services at present levels.

24-10 Appropriation (S.B. 3087) Appropriates $24,700,000 in state aid for the 16 public junior colleges' educational programs for FY 1978. The line items are $21,458,000–academic; $2,424,000–vocational; $818,000–part-time and evening. This was a 21.19 percent increase over FY 1977. This increase is to be expended for salaries, wages, and fringe benefits in excess of that amount expended for these purposes in FY 1977.

24-11 Appropriation (S.B. 3096) Appropriates $1,410,900 to support Associate Degree Nursing programs in 11 junior colleges and to provide nursing education scholarships.

### Legislation Introduced But Not Enacted

24-12 Institutional Change Would have provided for a study of possible conversion of certain universities into upper-level institutions.

24-13 Police Training Standards Would have established minimum requirements for law enforcement officer training.

24-14 Admission Procedures Would have prohibited the governing board for public universities from imposing minimum scores on the ACT for admission to certain universities.

24-15 Liability Insurance Would have authorized college boards to defend against suits and purchase liability insurance.

24-16 Liability Insurance Would have authorized school boards to purchase general liability insurance.

24-17 Sunset Bill Would have established "sunset" requirements.

24-18 Name Change Would have changed the name of Northeast Mississippi Junior College to Community College.

24-19 Absentee Voting Would have required colleges to provide absentee voting material to students and not require students to attend college on general election day.

24-20 Student Aid Would have provided grants to students attending private colleges.

24-21 Budgets Would have required the College Board to develop formulas for budgets and created a council of presidents. (Applies only to four-year institutions.)

24-22 Standardized Purchasing Would have provided for standardized public purchasing.

24-23 Student Aid Would have increased tuition grants to National Guard personnel including aid to those attending proprietary and graduate schools.

24-24 Per Diem Would have increased the travel allowance to 15¢ per mile.

## MISSOURI (25)

### Legislation Introduced But Not Enacted

25-1 Community College Law Revision (H.B. 840) Would completely revise junior college laws and in process create a Division of Community Colleges within the Department of Higher Education.

## NEBRASKA (27)

### Legislation Enacted

27-1 Budget Procedures (L.B. 131) Requires each county to revalue all lands and improvements annually. In addition, it provides that every political subdivision authorized to levy a tax shall adjust its budget so as to not exceed an increase of more than seven percent of the previous year's budget funded by property taxes or the average percentage increase for the three preceding budgets, whichever is greater. The act allows the political subdivision to adjust its budget limitation by the amount of receipts lost from state sources and shall reduce its budget limitation by the amount of increased receipts from state sources. In the event the political subdivision determines that it will exceed the authorized percentage limitation, it shall hold a public hearing during the month of July or August to receive input on the advisability of exceeding the prescribed limits. Following the public hearing, the body may adjust its budget. If the notice for the public hearing required for the adoption of the budget includes a statement that the proposed budget funded by ad valorem taxes is higher than that permitted under the act, then the public meeting shall not be required.

27-2 Election Laws (L.B. 201) Amends several sections of the Nebraska Statutes dealing with elections. That part dealing with community colleges provides that the cost of elections for the board of technical community colleges will be borne by the college board.

27-3 Assessment Procedures (L.B. 391) Alters the procedure by which governing boards file their mill levies. The boards are required to use the final adjusted valuation made by the county assessor. The county assessors will certify to the boards the current valuation of taxable property by August 15. Current valuation shall mean the valuation established by the assessor and equalized by the county board of equalization and the State Board of Equalization and Assessment. This change will foreclose counties from using the previous year's valuation as a basis for mill levies.

27-4 Postsecondary Education Study (L.B. 459) Creates the Nebraska Postsecondary Educational Advisory Committee to be composed of six members of the legislature and to serve until July 1, 1978, at which time it will cease to exist. The committee shall study existing laws and practices affecting any postsecondary educational institution or system, and maintain a continuous study to evaluate postsecondary education needs of the state. The act requires that the committee redefine the roles and missions of Nebraska's institutions and systems of public postsecondary education, that it receive recommendations for developing a uniform data system, and that it make recommendations for the development and implementation of resource allocation and uniform data systems which are necessary to provide multiple year budget and program planning consistent with the needs of the legislature. The act requires each postsecondary institution in the state to submit along with its annual budget request, three copies of annual report on the receipt and expenditure of all funds from private sources, excluding student fees, when such funds are used for the purpose of supporting existing or establishing new programs within the institution. The act harmonizes legislation and requires the Auditor of Public Accounts to provide for an annual examination and audit of the full-time equivalent student enrollment total. Finally, the act expands the duties of the Nebraska Coordinating Commission for Postsecondary Education to include the development of transfer of credits among postsecondary education systems; the determination of student attrition rates, and the development of proposals for an integrated delivery system for adult and continuing education services. The Commission shall report its findings to the legislature.

27-5 Appropriation (L.B. 459A) Appropriates $30,000 to the Legislative Council which may be used to contract with the Nebraska Coordinating Commission for postsecondary education to aid in carrying out the provisions of LB 459.

## NEW JERSEY (30)

### Legislation Enacted

30-1 State Aid Increase (A.N. 3182) Increases state aid to community colleges from $600 to $700 per FTE; also restricts the calculation of FTE's for state aid purposes to students enrolled in credit courses and non-credit remedial, developmental, General Education Development and Adult Basic Education.

## NEW MEXICO (31)

### Legislation Enacted

31-1 Course Approval (Chapter 4) Requires the Board of Educational Finance to approve all courses offered in New Mexico by nonproprietary out-of-state institutions except correspondence courses and courses offered on military bases; also outlines criteria the Board must consider before approving such a course.

31-2 Institutional Merger (Chapter 50) Creates a new community college by dissolving a branch college (the University of New Mexico northern branch) and merging it with a vocational school, the Northern New Mexico State School, as of July 1, 1977; all funds previously appropriated to the northern branch are transfered to the State School; appropriates $3,407,800 to the State School for the purchase of vocational education equipment; appropriates $256,655,400 for all of higher education for two-year period including $7,504,900 for the Technical Vocational Institute, $1,166,000 for the Area Vocational School Fund, $192,500 for the Adult Basic Education Fund, and $292,500 in state support for the New Mexico Junior College; provides funds and outlines regulations concerning the state student loan administration, enrollment growth contingency fund, state student incentive grants, and women's athletic programs; and sets tuition rates at the various state institutions of higher education.

31-3 Capital Funds (Chapter 91) Appropriates funds for capital expenditures at various state institutions of higher education including $6,765,000 for branch and community colleges.

31-4 Capital Fund Extension (Chapter 173) Extends the use of capital outlay funds originally appropriated to community colleges in 1975 for an additional two years.

31-5 Academic Instruction (Chapter 203) Allows the Northern New Mexico State School to offer two years of accredited college level academic instruction in addition to the technical and vocational instruction already being given.

31-6 Scholarships (Chapter 327) Allows the boards of the University of New Mexico, Mexico State University, New Mexico Highlands University, Eastern New Mexico University, Western New Mexico University, and New Mexico Junior College to grant athletic scholarships by waiving one-half of the tuition. Restrictions are placed on the number of such scholarships that may be awarded and allows only one-half of them to be given to out-of-state residents.

### Legislation Introduced But Not Enacted

31-7 Community Education (House Memorial 37) To request the Department of Education and the Board of Educational Finance to undertake a comprehensive study of community education activity in New Mexico and make a report and recommendation on the development and future growth of community education to the legislature at its next session.

31-8 Enabling Legislation Review (H.B. 184) To direct the Board of Educational Finance to study and recommend legislation to combine the five statutes under which the community colleges now operate.

31-9 Tuition Waiver (S.B. 106) To provide tuition waivers for persons over 60 years of age at state higher educational institutions.

31-10 Regents Increase (S.B. 109) To increase the number of regents at the New Mexico Junior College from five to seven.

## NEW YORK (32)

### Legislation Enacted

32-1 Financial Aid Information (A.B. 5267-B) Requires Commissioner of Education to promulgate regulations concerning the dissemination of financial aid information to students as well as job placement and graduate school placement statistics where available.

32-2 Guaranteed Student Loan Program (A.B. 7818) Amends the Education Law with regard to the guaranteed student loan program clarifying residency requirements and adding insurance companies as guarantors.

32-3 Construction Finance (H.B. 8311) Permits financing of community college construction by authorizing the sponsors to finance the state's share with reimbursement by the dormitory authority at a future time.

32-4 Tuition Advance (A.B. 8530-A) Authorizes Higher Education Services Corporation, upon the request of a school, to make advance payments of tuition assistance and scholarship monies on behalf of eligible students; makes related provisions.

32-5 Records Access (S.B. 16-A) Provides for limited expansion of the existing right of public access to governmental documents and information.

32-6 Handicapped Access (S.B. 773-B) Requires public officers responsible for scheduling public hearings to make reasonable efforts to provide an opportunity to the handicapped to attend such hearings.

32-7 Audits (S.B. 803) Requires the State Comptroller to submit a tentative copy of audit report to agency being audited and requires written response to such report within 30 days. The final audit report must contain a complete copy of the agency's response.

32-8 Religious Holidays (S.B. 2508-A) Requires SUNY, CUNY, and Community Colleges to publish in their catalogs a statement outlining the fact that equivalent classes or exams will be provided for students who are absent due to a religious holy day.

32-9 Student Board Members (S.B. 4380-A) Grants non-voting student members of the SUNY Board of Trustees, state-operated college councils, and community college boards parliamentary privileges conferred upon voting members including the right to move and second motions and place items for discussion on the agenda but not voting privileges. Student members are also subjected to any applicable laws or regulations setting forth codes of ethics, disclosure and compatibility of office requirement.

32-10 Collective Bargaining (S.B. 6905) Establishes an agency shop for professionals in the state university represented by the AAUP, makes agency shop negotiable item at community colleges.

32-11 Funding Formula The 1977-78 Executive Budget recommended ". . . that a joint SUNY, CUNY and Budget Division Study Team review the community college and formula and report on possible changes in time for incorporation in the 1978-79 Executive Budget.

### Legislation Introduced But Not Enacted

32-12 Falsification of Grades (H.B. 4360) To provide for disciplinary proceedings in cases of falsification of grades or credits.

32-13 Chargeback Tax Elimination (A.B. 8507) To eliminate chargebacks for local residents of sponsorship area who choose to attend a community college outside that sponsorship area for programs of study available at the local college.

32-14 Agency Rule Filing (A.B. 8527-A) To amend the Administrative procedures act to require agency filing of proposed rules and accompanying fiscal analysis with a legislative "administrative regulations review commission." (Vetoed by the Governor.)

32-15 Social Security (A.B. 8809-A) To freeze the social security base upon which employer rates of contribution under the state university optional retirement program and the New York City Board of Higher Education optional retirement program are based. Future base would be borne by the employer. (Vetoed by the Governor.)

32-16 Fire Protection (S.B. 729) To authorize municipalities to contract with SUNY, Community College, or a statutory college for extraordinary fire protection.

32-17 Facilities Use (S.B. 1130) To make state buildings and facilities available for community use to the extent feasible.

32-18 Student Aid (S.B. 1152-A) Would permit TAP award to be increased to compensate for a change in a student's financial situation when such change reflects a decrease in income or increase in expenses of 25 percent or more.

32-19 Tuition Waiver (S.B. 1695) To permit the Trustees of SUNY to allow persons age 60 or over to take courses for credit without charge on a space available basis. (Vetoed by the Governor.)

32-20 Student Intern Program (S.B. 2317-B) To provide for intern training programs in state agencies for students enrolled at Schenectady and LaGuardia Community Colleges. (Vetoed by the Governor.)

32-21 Tenure (S.B. 4242) Would convey tenure upon non-teaching professionals in the same manner as academic employees.

32-22 Productivity (S.B. 5527) To create a New York State Management Advisory Board to assist state agencies in achieving greater productivity. (Vetoed by the Governor.)

32-23 Federal Aid Control Board (S.B. 5543) To establish a new federal aid control board. All applications for federal aid will have to be made through the control board and with its prior approval. Funds obtained through approved applications would be deposited in the general fund for dispersal to the applying state agency after audit by the comptroller.

32-24 Contracts for Educational Services (S.B. 6012-A) To permit local legislative bodies in counties which do not sponsor community colleges offering full opportunity programs to contract with independent institutions to provide educational services. These services are limited to county residents who are not enrolled on the effective date of the bill and whose income does not exceed $8,000.

32-25 Higher Education Study (S.B. 6286) To create a temporary state commission to examine higher eduction and make appropriate recommendations.

32-26 Energy Use (S.B. 6385-A) To require the adoption of a state agency energy conservation code for the efficient use of energy applicable to all buildings constructed after January 1, 1978. (Vetoed by the Governor.)

32-27 Health Care Program Development (S.B. 6530) To establish an advisory committee to assist the chancellor of the state university in the training and curriculum of health care professionals and paraprofessionals interested in the treatment and care of alcoholics. (Vetoed by the Governor.)

## NORTH CAROLINA (33)

### Legislation Enacted

33-1 In-Plant Training (H.B. 54) Permits industrial education centers to assume responsibility for providing routine operator training for individual manufacturing firms; outlines General Assembly's intention to have community colleges and technical institutes assist in pre-employment and in-service training private and public employees; requires State Board of Education to set maximum hours of instruction to be offered at state expense in in-plant training program and prohibits a community college instructor from performing any type of function for a firm during hours he is employed for instructional purposes.

33-2 Parking Space Preference (H.B. 326) (Chapter 119) Provides for priority treatment for the physically handicapped and carpoolers in assigning parking spaces in state-owned lots.

33-3 Study (H.B. 412) Appropriates $10,000 to Wilkes Community College to study a proposal to construct a building to house the James Larking Pearson Collection.

33-4 Governmental Meeting Review (H.B. 522) (Chapter 959) Creates a 12-member Legislative Study Commission for State Policies on the Meetings of Governmental Bodies to review and evaluate the current statutes relating to meetings of governmental bodies.

33-5 Capital Funds (H.B. 569) Appropriates $400,000 to aid in the construction of administrative and instructional facilities for Mitchell Community College.

33-6 Scholarships (H.B. 695) Allows the Davidson County Board of Commissioners to establish two scholarships not to exceed $250 for the study of law enforcement at Davidson Community College.

33-7 Lobbying Act Amendment (H.B. 814) (Chapter 697) Exempts those persons responding to inquiries from a legislator and those providing facts and recommendations on legislation only to their own delegation from the Lobbying Act.

33-8 Tuition Waiver (H.B. 842) Requires state-supported institutions to waive tuition for credit and non-credit courses for North Carolina residents over age 65; provides that such persons will count in the computation of enrollments for funding purposes; provides penalties for individuals who take advantage of this program through misrepresentation.

33-9 Per Diem (H.B. 1001) Provides for flat rate per diem rates of $23 per day for in-state travel and $35 per day for out-of-state travel. Eliminates itemization and provides for pro-rating.

33-10 Construction Bids (H.B. 1046) (Chapter 617) Permits public agencies to allow the withdrawal of an erroneous bid on public construction projects if an error in the bid was unintentional.

33-11 Construction Plan Changes (H.B. 1056) (Chapter 619) Authorizes changes in the initial design for building construction once the project is begun and reduces the obligation of sureties on bid bonds.

33-12 Construction Bids (H.B. 1057) (Chapter 620) Requires the preparation of separate specifications for heating, plumbing, electrical wiring, and general work for all public construction projects in excess of $50,000 and requires independent bidding on each of the specifications.

33-13 Construction Bids (H.B. 1195) (Chapter 644) Permits public institutions and agencies to award construction contracts (less than $30,000) with fewer than three bids if it is in the public interest to do so.

33-14 Misuse of Public Funds (S.B. 55) (Chapter 930) Provides penalties for any member of a governing board of a state institution or employee of such institution who improperly spends or transfers funds.

33-15 Minimum Wage (S.B. 83) (Chapter 519) Increases state minimum wage to $2.30/hour.

33-16 Indochina Refugees (S.B. 129) (Chapter 590) Provides in-state tuition status at higher educational institutions for Indochina refugees who have been present in the state for 12 consecutive months. Act expires July 1, 1982.

33-17 Inmate Labor Commission (S.B. 654) (Chapter 685) Reconstitutes the Area Inmate Labor Commission and the State Inmate Labor Commission. Requires that one member of the six member Area Inmate Labor Commission shall be a representative of the community colleges and technical institutes in the area.

33-18 Governmental Employee Exchange (S.B. 695) (Chapter 783) Creates the North Carolina Interchange of Governmental Employees Act of 1977 which provides for the interchange of governmental employees between state agencies, between states, and between the federal and state governments; also sets conditions for the interchange.

33-19 Public Business Transaction Restriction (S.B. 734) (Chapter 761) Prohibits state officials and employees from participating in any business transaction involving public funds with any individual who was an employer or business associate during the preceding two years.

33-20 Misuse of State Property (S.B. 839) (Chapter 763) Requires Heads of State Departments to report possible violations of the criminal statutes involving misuse of state property to the State Bureau of Investigation.

33-21 Student Board Membership (S.B. 808) Adds the president of the student government or the chairman of the executive board of the student body to the board of trustees of each community college, technical institute, and industrial education center. Student members will be exofficio non-voting members.

33-22 **Public School Law Recodification** (S.B. 848) Directs the Legislative Research Commission to study the issues related to revision and recodification of the state's public school laws and pay particular attention to (1) those changes already suggested in S.B. 788 and (2) the issues related to the fiscal functions on the State Board of Education.

33-23 **Institutional Change** (S.B. 878) Makes the Tri-County Technical Institute a comprehensive community college and appropriates $121,107 for implementing the change.

33-24 **Enabling Legislation Study** (S.R. 813) Directs the Legislative Research Commission to study for revision and recodification purposes the General Statutes entitled "Community Colleges, Technical Institutes, and Industrial Education Centers."

33-25 **Enabling Legislation Review** Directs the Legislative Research Commission to complete a revision of the public school laws and to include consideration of establishing separate fiscal affairs directors for the Department of Public Instruction and the Department of Community Colleges.

33-26 **State Board Study** Directs the House Committee on Higher Education to study the possibility of establishing a separate board for community colleges.

33-27 **Salary Increase** Appropriates $5,209,374 during two year period to community college system for automatic and merit salary increases; increases to be allocated according to rules established by State Board of Education. Funds not to be used for new positions.

33-28 **Longevity Pay** Appropriates $311,880 for 1977-78 and $364,989 in 1978-79 to the community college system for longevity pay to eligible fulltime employees.

33-29 **Salary Increase** Provides $13,198,854 to community college system to provide for an annual salary increase of 6½ percent for each of the next two years for institutional personnel.

33-30 **Health Insurance** Appropriates funds for the state to assume the cost increase in individual employees' hospital-medical insurance.

33-31 **Sick and Annual Leave** Suspends State Board of Education policies concerning sick and annual leave until July 1, 1979.

33-32 **Retirement Benefits** Increases retirement benefit factor to 1.55 percent and maximum death benefit to $20,000.

33-33 **Tuition** Increases tuition at community colleges. 18.18 percent increase for in-state students to $39 per quarter for full-time and $3.25 per credit hour for part-time. Out-of-state tuition increased to $198 per quarter for full-time and to $16.50 per credit hour for part-time.

33-34 **Budgets** Directs the State Board of Education to review the entire budgeting process for community colleges and technical institutes.

33-35 **Enrollment Calculations** Requires the State Board to use student tuition receipts to calculate enrollments for budget purposes, to compare this method to present method, and report findings to the Appropriations Committee in 1978 and 1979.

33-36 **Budgetary Adjustments** Directs State Board of Education to adjust institutions' budgets to reflect over- and under-enrollments and to notify institutions of the ways budgets will be adjusted to reflect enrollment changes at the time of allocation.

33-37 **Fund Transfer** Transfers $7.4 million in federal vocational education funds over a two-year period from the construction budget to the operating budget of the community college system.

33-38 **Adult Education Funds** Provides that adult high school extension funds must be used for that purpose or revert to the general fund and may not be used for other programs.

33-39 **Capital Funds** Appropriates $2 million over two-year period to the community college system for construction.

33-40 **Appropriation** Provides $40,000 for a second year associate degree nursing program.

### Legislation Introduced But Not Enacted

33-41 Capital Funds Collection (H.B. 361) To provide the community college system with $5.4 million in federal vocational education funds for construction by changing the method of collecting state corporate income tax.

33-42 Board Membership (H.B. 1304) To disqualify for membership on the State Board of Education any employee of the Board, the Department of Public Instruction, the Department of Community Colleges, a local board of education or a board of trustees of a community college or technical institute.

33-43 Community College Controller (H.B. 1453) To unify the program and fiscal functions of the State Board of Education by eliminating the position of controller for the State Board of Education and transferring the responsibility for fiscal matters to the Superintendent of Public Instruction and President of the Department of Community Colleges. Each of these will employ a separate individual to fulfill functions of controller in their respective areas.

33-44 Coordination (H.J.R. 1451) To require the UNC Board of Governors and the Department of Community Colleges to prepare a report on program overlapping between public institutions, to justify some of overlapping, and outline steps taken to eliminate unnecessary duplication. Also requires them to establish a joint committee to consider the proposed actions of either on the various types of institutions including private ones. Directs Department of Community Colleges to reassess the offering of arts and sciences courses at technical institutes and ensure that technical institutes offering general education courses to their students through a contractual arrangement with another institution charge students the same amount as would be charged if the course was taken at the institution providing the instruction.

33-45 Board Membership (S.B. 227) To prohibit members of the General Assembly, state, community college or technical institute officers, employees and spouses, and county commissioners from serving on Boards of Trustees of community colleges and technical institutes.

33-46 Presidential Selection Process (S.B. 888) To change the section of the General Statutes dealing with the power of community college trustees to elect the president of the college subject to approval by the State Board of Education. Changes include (1) terms of appointment be for two or four years beginning on July 1 of odd numbered years, (2) a required written contract between trustees and president approved by State Board and filed with the Director of Department of Community Colleges, (3) no contract renewed without State Board approval, (4) election of president to unexpired term to be only for the remainder of the term and with board approval, and (5) grants trustees power to remove president for non-performance of duties and the same power to the State Board if the trustees fail to.

## OHIO (35)

### Legislation Enacted

35-1 Student Loans (H.B. 152) Increases student loan guarantee to 100 percent.

35-2 Appropriations (H.B. 191) Appropriations bill for biennium beginning July 1, 1977 and ending June 30, 1979. (No other information available.)

35-3 Board Powers (H.B. 260) Redefines powers of State Personnel Board of Review and the State Employee Compensation Board.

35-4 Scholarships (H.B. 666) Establishes Ohio Merit Scholarship Program.

35-5 Capital Improvement (H.B. 810) Capital improvements reappropriations. (No other information available.)

35-6 Legislative Review (Am. H.B. 257) Permits the legislature to invalidate state agency rules.

35-7 Affirmative Action Reports (S.B. 4) Requires the state and its subdivisions that have undertaken affirmative action programs to file annual reports with the Ohio Civil Rights Commission.

35-8 Out-of-State Student Agreement (S.B. 94) Authorizes the Board of Regents to enter into reciprocal arrangements with neighboring states to permit the payment of in-state higher education fees by out-of-state residents and permit the granting of financial aid to state residents who attend out-of-state institutions of higher education.

35-9 Financial Procedures (S.B. 221) Establishes new budgeting, accounting, and financial procedures, and provides for affirmative action requirements for public employers and employees.

35-10 Institutional Name Change (S.B. 229) Changes designation of state general and technical colleges to "state community colleges."

**Legislation Introduced But Not Enacted**

35-11 Employee Appeal Process (H.B. 47) To permit classified public employees to appeal a suspension of any length of time.

35-12 Retirement Benefits (H.B. 55) Relative to the remarriage of the spouse of a member of Public Employees Retirement System. (No other information available.)

35-13 Energy Conservation (H.B. 135) To permit boards of education to adjust their calendar to conserve fuel.

35-14 Student Aid (H.B. 228) To make enlisted members of the National Guard eligible for Ohio Instructional grants.

35-15 Fringe Benefits (H.B. 266) To give state and county employees two days a year for personal leave and deduct this from sick leave.

35-16 Legislative Review (H.B. 331) Sunset law. (No other information available.)

35-17 Leave of Absence (H.B. 373) To change the formula for determining the acquisition cost of leave of absence service credit.

35-18 Retirement Benefits (H.B. 387) To require the state teacher retirement system to recalculate benefits based upon awards made on or after July 1, 1971 and before July 1, 1977.

35-19 Technical College Trustees—Powers (H.B. 399) To repeal the requirements that technical college trustees receive Board of Regents approval to exercise certain powers.

35-20 Energy Conservation (H.B. 415) To create a department of energy to coordinate energy planning, conservation, research and development efforts of the state and to impose a tax on the use, storage, and consumption of coal.

35-21 Energy (H.B. 419) Energy conservation. (No other information available.)

35-22 Policemen (H.B. 506) To allow community college trustees to hire special policemen.

35-23 Liability Insurance (H.B. 711) To allow state or state-assisted colleges and universities to purchase liability insurance.

35-24 Retirement (H.B. 753) To permit purchase of service credit in the SERS for service with the U.S. Government or with another state.

35-25 Unemployment Compensation (A.B. 762) To extend unemployment benefits to new classes of employees; clarifies the eligibility of educational employees for benefits; generally conforms Ohio law to certain changes in the federal unemployment compensation law enacted in 1976.

35-26 Collective Bargaining Changes (H.B. 783) To authorize "successor employer" clauses in private collective bargaining agreements.

35-27 Displaced Homemakers (Am. H.B. 32) To provide a pilot program to help displaced homemakers.

35-28 News Source (S.B. 106) To protect news source of non-commercial educational broadcasters.

35-29 Collective Bargaining (S.B. 222) To establish collective bargaining procedures for public employees and employers.

35-30 Retirement System Changes (S.B. 245) To change certain definitions, administrative and service credit provisions relating to the State Teachers Retirement System.

35-31 Scholarships (S.B. 279) To make War Orphan Scholarships at private institutions of higher education equal to those at publicly supported institutions.

## OKLAHOMA (36)

### Legislation Enacted

36-1 Appropriation Provides $27,772,803 to community colleges for 1977-78. This is a $4,686,219 increase over 1976-77.

36-2 Capital Funds Appropriates $14,350,000 for higher education capital projects. Community colleges will receive part of this but the amount has not been determined at this time.

## OREGON (37)

### Legislation Enacted

37-1 Appropriations Provides $41,220,570 for public community colleges.

## PENNSYLVANIA (38)

### Legislation Enacted

38-1 Appropriations Appropriates $46,651,000 to community colleges, a 3.9 percent increase over previous year. This amount, however, is considered to be $1.6 million less than what is needed. The local sponsor may be charged a higher share to make up the difference. Also requires that the state will reduce both operating and capital payments to account for any federal funds an institution of higher education receives. In the past, federal funds were used to benefit the local sponsor with no reduction in state aid. Finally, it requires separate accounting for continuing education—credit and noncredit—and the state will no longer fund community service type activities.

38-2 Tuition Refund Requires that community college students be provided with a tuition refund in the event of an interruption of the academic term and that the term will be declared null and void in such circumstances.

## RHODE ISLAND (39)

### Legislation Enacted

39-1 Appropriation Appropriates $13,459,758 for community college education.

## SOUTH CAROLINA (40)

### Legislation Enacted

40-1 Appropriation Appropriates $32,700,000 for two-year colleges.

### Legislation Introduced But Not Enacted

40-2 Commission on Higher Education To reorganize the Commission on Higher Education; generally, the proposal leads to greater centralization of authority.

## TENNESSEE (42)

### Legislation Enacted

42-1 Veterans Fee Deferment (Chapter 10) Permits students receiving veterans benefits to defer payment of tuition and fees if their educational allowance is delayed for reasons beyond their control.

42-2 Tuition Waiver (Chapter 28) Permits disabled persons and individuals over 65 years of age to enroll in credit courses at public institutions of higher education without paying tuition; permits institutions to charge a service fee to such individuals to cover costs of record keeping but not to exceed $50/quarter or $75/semester.

42-3 Part-time Employment (Chapter 234) Increases from one course to two the number of courses a full-time higher educational faculty member may teach as part-time work in addition to his regularly scheduled workload.

42-4 Federal Compliance Costs (Chapter 249) Requires each state agency to include in its estimates of expenditure requirements the cost to the state of complying with any federal laws and regulations pertinent to the agency and the cost of receiving federal funds in support of any agency project including cost of matching funds, special financial accounting, and required administrative mechanisms.

42-5 Student Loan Program (Chapter 282) Establishes the Tennessee Student Loan Program to provide student loans through the Guaranteed Student Loan Program.

42-6 General Appropriations Act (Chapter 458) Those sections affecting community colleges include but are not limited to the following: appropriates $24,181,000 to community colleges for operating expenses; appropriates $138,000 in capital funds to the community colleges; designates $250,000 of the funds from the maintenance improvement funds for higher education be used at two community colleges; provides that the appropriate higher education board set institutional employee salaries in consultation with the Commission of Higher Education; provides for a seven percent pay increase for all state employees; designates $450,000 to be used for salary adjustments for instructional personnel at community colleges in addition to the seven percent general salary increases; directs state agencies to pay one-half the cost of individual employees' participation in the approved Group Insurance Plan; appropriates funds to cover employer cost for Retirement and Social Security; provides that the State Board of Regents and the Trustees of the University of Tennessee shall establish consistent student fee charges in consultation with the Higher Education Commission; designates $2,025,000 of the appropriation to the Student Assistant Corporation be used for nonrepayable student assistance and set guidelines; requires the Tennessee Higher Education Commission to certify an enrollment projection for each higher education institution by July 1, 1977, and provides that funds may be impounded if the projection is below that originally provided for in the budget deliberations.

## UTAH (44)

### Legislation Enacted

44-1 Retirement Increases retirement contributions by the state by 1.2 percent of total salary with a matching amount from the employee's salary.

44-2 Tuition Increases tuition at community and technical colleges; the average increase was approximately ten percent.

44-3 Governing Authority Requires that a study be made to determine whether the two technical colleges should be governed by the Board of Regents or the State Board of Vocational Education. Currently, both boards jointly govern the two colleges.

44-4 Senior Citizens Allows persons over age 62 and retired to attend college courses for credit on a space available basis with administrative costs to be determined by the Board of Regents.

44-5 Appropriations Appropriates $15,761,000 for community and technical colleges.

## VERMONT (45)

### Legislation Enacted

45-1 Appropriations Appropriation legislation. (No other information available.)

## VIRGINIA (46)

### Legislation Enacted

46-1 Tuition Waiver (H.B. 801) Amends the Senior Citizens Higher Education Act by permitting senior citizens age 60 or older with a federal taxable income of less than $5,000 per year to enroll in credit courses free of tuition provided they meet the admissions standards and space is available. Previously, the age requirement was 62. Also, permits any senior citizen aged 60 or over to enroll in a non-credit course or audit a credit course free of tuition. Finally, it provides that the hours generated by senior citizens in credit courses cannot be counted in the institutional calculation of full-time equivalent students.

46-2 National Guard Grants (H.B. 1356) Provides that Virginia National Guard members enrolled in public colleges or universities in Virginia are eligible to receive grants from the Department of Military Affairs equal to one-half the tuition fee, but not in excess of $250 per term, effective July 1, 1978.

46-3 State Board Clarification (H.B. 1519) Clarifies that the role of the State Board of Community Colleges is that of a statewide institution of higher education and not that of a state agency by deleting reference to the Department of Community Colleges and substituting the phrase, Virginia Community College System, where appropriate.

46-4 Work-study (H.B. 1618) Allows institutions to extend their work-study funds to a greater number of students by exempting students enrolled on a full-time basis at any Virginia college and employed in a work-study program (or its equivalent) from the Virginia Minimum Wage Act.

46-5 Residency Requirements (H.B. 1927) Changes the regulations covering residency requirements for determining tuition rates by allowing unemancipated minors to take the domicile of either parent or if one parent has custody, the domicile of that parent. Also changes the regulations concerning residency of students whose parents or spouses are members of the armed forces in Virginia by permitting them to qualify for in-state tuition if either parent or spouse has resided in Virginia for one full year, been employed full-time and paid personal income taxes to Virginia prior to seeking reduced tuition charges, and provided the student is claimed as a dependent for federal and Virginia income tax purposes.

46-6 1202 Commission (H.B. 2085) Designates the Council of Higher Education to serve as Virginia's Postsecondary Planning Commission (1202 Commission). Previously, the Council served in this capacity through executive designation.

46-7 Part-time Employment Study (H.R. 42) Requests the House Committee on Education to study the outside employment of faculty at Virginia's public institutions of higher education to determine if such employment detracts from the time devoted to duties for which they are employed by the state or involves the use of state facilities or other abuses.

46-8 Grade Inflation (H.J.R. 170) Directs the Council of Higher Education to study the prevalence and consequences of grade inflation at the state's institutions of higher education by November 1, 1977.

46-9 State Board Clarification (H.J.R. 192) Clarifies the role of the State Board of Community Colleges by confirming that the board's role is solely that of a statewide institution of higher education and not that of a state agency.

46-10 Accounting (H.J.R. 198) Directs the Council of Higher Education to ensure uniformity in the reporting and accounting of student fees at all state institutions of higher education.

46-11 Student Aid (S.B. 766) Grants the State Education Assistance Authority the right to lend funds to the Virginia Education Loan Authority.

46-12 Loan Authority (S.B. 771) Allows the Virginia Education Loan Authority to become operational immediately.

46-13 Financial Aid to Policemen (S.B. 923) Increases from $80 to $100 per semester and from $60 to $80 per quarter the amount the State Department of Education is authorized to pay accredited colleges and universities within Virginia for tuition, books, and other mandatory fees on behalf of law enforcement officers pursuing a degree or certificate in a field related to law enforcement.

46-14 Capital Outlay Bond (S.B. 937) Provides a bond package of $86,475,000 (subject to a public referendum on November 8, 1977) for construction of capital outlay facilities at 19 of the 39 state institutions of higher education.

46-15 Salary Increase Provides a 4.8 percent salary increase in the second year of the biennium (1977-78) for all state employees, conditional upon the Governor determining that revenues will be adequate.

46-16 Student Aid Shifts funds from institutional financial aid appropriations to the statewide College Scholarship Assistance Program to ensure that sufficient state funds are available to qualify for maximum federal matching funds available to Virginia in 1977.

46-17 Appropriation Adjustment Previous appropriations provided for the community and junior college system for the 1976-78 biennium were adjusted downward for 1977-78 to reflect the failure of these institutions to reach expected enrollment levels.

### Legislation Introduced But Not Enacted

46-18 Student Board Members To require that there be a student member on the board of visitors of each public institution of higher education.

46-19 Collective Bargaining Collective bargaining legislation. (No other information available.)

46-20 Salary Increase To provide supplementary appropriations for faculty salary increases.

46-21 Retirement Financing To provide for the state to assume a portion of state employees' contribution to the Virginia Supplemental Retirement System.

46-22 Capital Funds Collection To establish a "crown tax" on soft drinks to generate revenues to be used for a "Higher Education Capital Outlay Fund." The Council of Higher Education would establish priorities for the use of the funds.

## WASHINGTON (47)

### Legislation Enacted

47-1 Study Abroad Provides for the expansion of the overseas education programs operated for the Department of Defense in Europe by the Big Bend Community College.

47-2 Publications Authorizes the Governor's budget office to set guidelines governing the printing, distribution, and quality of publication.

47-3 Enabling Legislation Amendments Amends the Community College Act by clarifying language regarding title to gifts received by individual colleges, permitting the State Board to receive gifts, changing the date of appointment for trustees, and permitting trustees to lobby the legislature.

47-4 Salary Increase Provides for an average salary increase of ten percent for all employees on July 1, 1977, and an additional five percent increase on July 1, 1978; permits colleges with below average salaries to provide additional increases for faculty and exempt employees if these can be funded from the college's regular appropriation; provides for a new uniform health insurance plan that will be fully funded by the state.

47-5 Sabbatical Leaves Provides restrictions for sabbatical leaves in higher educational institutions by limiting them to 12 months and restricting the leave stipend; identifies in law that sabbatical leaves are "professional leaves"; requires individuals on leave to return to the institution for one year or forfeit the stipend; provides that the stipend for those on leave plus the salary for replacements cannot exceed the regular salary of those on leave except in the smallest colleges; permits only four percent of the full-time equivalent faculty to be on leave at one time.

47-6 Retirement Age Requirement Provides for the continued employment of certain faculty members beyond their 70th year.

47-7 Pension Plans Revises the pension plans affecting classified employees, K-12 teachers, and some community college faculty so that new employees will receive reduced benefits; does not affect TIAA/CREF.

47-8 Southeast Asian Refugees Waives out-of-state tuition for Southeast Asian refugees who have resided in state for one year.

47-9 Tuition Provides for a tuition increase from the present maximum of $249 per year to a maximum of $291 in 1977-78 and $306 in 1978-79; also provision for increased student aid.

47-10 Per Diem Increases the travel reimbursement for state employees including higher education personnel.

47-11 Capital Funds Provides capital funds for code compliance, handicapped access, repairs, renovation, relocatables, and emergencies but not for any new capital construction.

47-12 Appropriation Appropriates $137,632,934 for community colleges for 1977-78; requires colleges to turn back funds if they fail to meet their budgeted enrollments unlike the past when they could drop three percent below estimated enrollments before returning funds; two additional restrictions in the package—a requirement that faculty average 19 contact hours per week and a pilot program to institute tuition reciprocity between two Washington community colleges and neighboring Oregon institutions—were vetoed by the Governor; provides earmarked funding for equipment, minority/disadvantaged programs, and for the nine smallest colleges in the system as in the past.

### Legislation Introduced But Not Enacted

47-13 Social Workers (H.B. 528) Would require the licensing of social workers and require them to have at least a bachelor's degree.

47-14 Sunshine Law (H.B. 1234) To subject meetings of the governing student bodies of higher educational institutions to the open meeting requirement.

47-15 Education Study Commission (H.B. 1277) To provide for a 13-member commission to study the state's entire educational system. The concern, as expressed in the bill, is with overlapping responsibilities, lack of coordination, inefficient use of resources, and the possibility of placing the entire educational system under one managerial system. The Commission, in addition, will study the goals and current practices of the three educational delivery systems—K-12, community colleges, and four-year colleges.

47-16 Training for Women (S.B. 2770) Would promote the expansion of community college programs for displaced homemakers—women who for a variety of reasons are looking for jobs without adequate training.

47-17 Tenure (S.B. 3053) Rescinds previous exemption of faculty on "soft money" from eligibility for tenure. Prohibits dismissal of probationary faculty without cause. During force reductions, non-tenured faculty must be the first to go.

47-18 Collective Bargaining Higher education collective bargaining bill failed. Community colleges will continue to be governed by the professional negotiations act, four-year institutions will not be required to bargain.

## WEST VIRGINIA (48)

### Legislation Enacted

48-1 Board Members (H.B. 1156) Adds the chairmen of the Faculty and Student Advisory Councils to the Board of Regents as exofficio voting members.

48-2 Rule Filing (H.B. 1393) Requires the Board of Regents to file a copy of any proposed rule changes with the Legislative Rule-Making Review Committee.

48-3 Personnel Rights (H.B. 1547) Provides that higher education professional and teaching personnel who vacate their positions to assume a non-elected government position shall be able to retain their benefits of academic tenure, rank, and position as long as the leave of absence does not exceed four years.

48-4 Revenue Bonds (H.B. 1751) Provides for revenue bonds for capital improvements at institutions of postsecondary education.

48-5 Tuition for National Guardsmen (S.B. 497) Provides for the payment of tuition and fees for any member of the National Guard who is enrolled at an accredited college, university, business or trade school located in the state.

48-6 Coal Research Bureau (S.B. 599) Provides for the continuation of the Coal and Energy Research Bureau at West Virginia University.

### Legislation Introduced But Not Enacted

48-7 Institutional Growth Restriction To prevent the Board of Regents from establishing a free standing community college, state college or university or any permanent branch, off-campus location, center or station of a community college, state college, or university without the express authorization of the legislature. (Vetoed by the Governor.)

## WISCONSIN (49)

### Legislation Enacted

49-1 Budget Preparation (A.B. 57) Requires the Secretary of Administration to prepare a list of all state agency budget requests no later than the middle of September of even numbered years, make an estimate of the total revenues needed to cover the proposed budget, and submit both sets of information to the news media and to all candidates for the legislature or any other state office.

### Legislation Introduced But Not Enacted

49-2 Legislative Review (A.S. 102) To require that every action by an executive branch board must receive prior written approval from the appropriate standing committee in both legislative houses before it can be taken. Powers affected are the power to make, amend, or repeal administrative rules; the power to issue any order or decision; and the power to expend funds or incur obligations to expend funds.

49-3 Trustee Selection (A.B. 443) Changes the method of selection and terms of office for members of the 16 vocational, technical, and adult education district boards. Previously, the boards consisted of seven members—six of the members were appointed for six year terms by an appointment committee consisting of local elected officials. Two of the six were required to be employers, two were citizens at large. The seventh member was appointed by the other members to serve a two-year term and was to be a school administrator. The bill retains appointment of the school administrator for a two-year term and the appointment of one employer and one employee but changes the terms of office to four years from six. The other four board members will be elected from four equal sized districts (according to population) within each of the 16 vocational, technical, and adult education districts. The election is to be non-partisan and each of the elected board members will serve for four years. Terms of the elected members are to run concurrently. Each district board will appoint members to unexpired terms but the State Board will apportion each of the 16 VTAE districts into four equal parts.

## APPENDIX B

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The first number of each entry is that of the state; the second is that of the legislative item within the state. For example, 3-8 indicates the eighth item listed under Arizona. State identification numbers can be found in Table 1. Both legislation enacted and legislation proposed are included.

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## APPENDIX C

## Letter of Inquiry

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

May 16, 1977

Dear Colleague:

By this time you should have received, in a separate mailing, your copy of *State Legislation Relating to Community and Junior Colleges, 1976*, the report of our survey for the 1976 legislative activity. We hope that you have received it and are finding it useful.

Some data for our 1977 report have begun to trickle in as developments in various states warrant. We would like now to begin more formally to collect those materials that will constitute data for the 1977 report.

We would like to ask you, then, to send to us, as you did last year, copies of bills or analyses (of legislation itself or of the issues/areas involved) of the current legislation in your state.

In addition, this year we are also interested in determining the impact of any federal legislation and regulations on legislative developments in your state. Could we, therefore, have from you (in addition to the report on all current legislative action bearing on community and junior colleges) a letter in which you discuss your own observations and judgments about this impact. We would like the letter to answer these questions:

1. Are federal legislation and regulations having an impact on legislation in your state? If not, please let me know that is the case.

2. If the impact is occurring—
   a. What areas is it occurring in?
   b. How is the impact being manifested, i.e., what is the nature of the evidence of such an impact? What kind of reaction, dynamics, etc. is being generated? Who is affected, etc.?

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM:dkt

# APPENDIX D

## First Follow-Up Letter

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

July 22, 1977

Dear Colleague:

We are pleased that the National Council of State Directors of Community and Junior Colleges at its meeting on July 7-8 acted to continue our cooperative annual compilation and analysis of state legislation relating to community and junior colleges. The 1977 study is well underway now and a progress report was distributed at the National Council's summer workshop in Florida. A copy of that progress report is enclosed.

We now need your help to complete the 1977 review in order that we can get the results back to you and other members of the Council and their staffs. You will recall that an initial request for information for the 1977 study was sent to you on May 16. A copy of that request is attached as Appendix A of the progress report. In the letter we asked that you supply us with two sets of information. First, we requested copies of bills and/or analyses of the legislation relating to community and junior colleges in your state. Second, we asked you to provide us with your judgments about the impact of federal legislation and regulations on your state's legislative developments.

The initial responses to this second request indicated some confusion over the nature of the question. I would like, therefore, to clarify it at this time. What we want are your judgments on two separate matters: (1) the impact of federal legislation on state legislation (passed or introduced) in your state and (2) the general impact of federal legislation on the community and junior colleges in your state other than that evidenced by actions considered by legislatures and covered in your reply to that part of this request.

A complete response from all State Directors is necessary to successfully complete this project and to enhance the usefulness of the results. Therefore, if you have not responded to our first request for information we would appreciate your doing so now. If you have already responded to the initial letter, please accept our appreciation for your cooperation. If there have been any new developments in your state concerning either of the two questions since you first responded, please inform us of these at this time.

One final item in this request. We would like to provide a more comprehensive report this year than last on the general trend of appropriations for community/junior colleges in comparison to FTE enrollments. A copy of the table from last year's report is attached. If your state reported appropriation and FTE figures last year, we need the figures for 1977-78 now. If your state did not report these figures last year, we would appreciate getting both (1) the dollar amount of your state's general appropriations to community/junior colleges for the fiscal years 1976-77 and 1977-78, and (2) FTE enrollment figures for the community/junior colleges in your state for the academic years 1976-77 and as projected for 1977-78.

Thank you very much for your continued cooperation.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM:dkt
Enclosures: Progress Report
Table 5 – 1976 Report

## APPENDIX E

## Second Follow-Up Letter

THE PENNSYLVANIA STATE UNIVERSITY
CENTER FOR THE STUDY OF HIGHER EDUCATION
325 POND LABORATORY
UNIVERSITY PARK, PENNSYLVANIA 16802

Area Code 814
865-6346

August 12, 1977

Dear Colleague:

Work on the 1977 annual review of state legislative attention to matters of interest to community and junior colleges is moving along well. We are shooting for presentation of the draft final report at the December 7-8 fall meeting of the National Council of State Directors of Community and Junior Colleges in Washington, D.C. We need your help to make it.

This is the second follow-up letter to our initial inquiry of May 16 requesting information on two matters: 1) state legislation affecting community and junior colleges, and 2) the impact of federal legislation and regulations on legislative developments in your state. The first follow-up letter was mailed on July 22. Copies of the two mentioned letters are enclosed. However, as of this date, we still have not received a response from your state.

This annual review of state legislation, a joint project of the National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education at the Pennsylvania State University, is now in its third year. Many in the field have found the first two studies quite useful. The project, however, is dependent upon the information supplied by the various states. I hope you and your staff will take the time to supply us with the necessary information—copies of bills and/or legislative analyses and your own thoughts on these matters. I look forward to hearing from you shortly.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM:dkt
Enclosures: Copies of May 16 and July 22 letters

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## NOTES ON THE AUTHORS

**S. V. MARTORANA** is research associate at the Center for the Study of Higher Education and professor of higher education in the College of Education at Penn State. Dr. Martorana has an M.A. and Ph.D. in education from the University of Chicago. Previously he has served in a number of administrative and policy-making capacities in higher education, particularly in the areas of community colleges and statewide planning and coordination. He has published numerous books, monographs, and articles in these areas, among which are *Criteria to Establishing Two-Year Colleges* (with D. Grant Morrison), *State Boards Responsible for Higher Education* (with Ernest V. Hollis), and *Managing Academic Change* (with Eileen Kuhns).

**WAYNE D. SMUTZ** is a research assistant at the Center for the Study of Higher Education of the Pennsylvania State University and a candidate for concurrent graduate degrees in political science (masters) and higher education (doctorate). Prior to assuming his current position, he served in an administrative capacity with Penn State for four years. He holds a bachelor's degree from the University of California, Berkeley.

## Center for the Study of Higher Education
## The Pennsylvania State University

The Center for the Study of Higher Education was established in January 1969 to study higher education as an area of scholarly inquiry and research. Dr. Kenneth P. Mortimer, its director, is aided by a staff of twenty, including five full-time researchers and a cadre of advanced graduate students and supporting staff.

The Center's studies are designed to be relevant not only to the University and the Commonwealth of Pennsylvania but also to colleges and universities throughout the nation. The immediate focus of the Center's research falls into the broad areas of governance, graduate and professional education, and occupational programs in two-year colleges.

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